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HOUSE JOURNAL

OF THE

Twenty-third Legislative
Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
commencing January 2nd, 1933 and
ending March 2nd, 1933

PUBLISHED BY AUTHORITY



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OFFICERS AND MEMBERS

OF THE

23d Legislative Assembly of the State of Montana

Governor, J. E. ERICKSON

Lieutenant Governor and President of the Senate, F. H. COONEY

Speaker of the House, DENNIS A. DELLWO

STATE SENATORS

| NAME | Residence | County | Politics |
|---------------------------|-----------------------|--------------------|-------------|
| *Angvick, Lars | Reserve..... | Sheridan | Republican |
| *Armstrong, Bert B. | Livingston..... | Park..... | Democrat |
| *Burr, Geo. A. | Winnett..... | Petroleum..... | Democrat |
| *Campbell, John L. | Missoula..... | Missoula..... | Republican |
| Carey, Emmett | Glendive..... | Dawson..... | Republican |
| Carroll, L. Ray | Roundup..... | Musselshell..... | Republican |
| Church, W. R. | Helena..... | Lewis & Clark..... | Democrat |
| †Clarke, Walter E. | Forsyth..... | Rosebud..... | Republican |
| Clifford, Frank H. | Havre..... | Hill..... | Democrat |
| Coburn, John W. | Cut Bank..... | Glacier..... | Republican |
| *Cooper, George R. | DeBorgia..... | Mineral..... | Republican |
| *Corwin, John W. | Park City..... | Stillwater..... | Republican |
| Danielsen, T. P. | Poplar..... | Roosevelt..... | Democrat |
| Delaney, F. W. | Terry..... | Prairie..... | Democrat |
| *Donovan, L. P. | Shelby..... | Toole..... | Democrat |
| Duncan, M. M. | Virginia City..... | Madison..... | Democrat |
| *Eaton, Ernest T. | Polytechnic..... | Yellowstone..... | Republican |
| Ekegren, E. P. | Harlem..... | Blaine..... | Republican |
| *Galt, Errol F. | Geysers..... | Judith Basin..... | Republican |
| *Garber, John D. | Plains..... | Sanders..... | Democrat |
| Harris, Orville | White Sul. Sprgs..... | Meagher..... | Republican |
| Hennessy, W. B. | Conrad..... | Pondera..... | Democrat |
| *Himsi, V. S. | Plevna..... | Fallon..... | Republican |
| Holt, Elmer | Miles City..... | Custer..... | Democrat |
| Holton, Albert | Cohagen..... | Garfield..... | Republican |
| *Hudson, W. C. | Harlowton..... | Wheatland..... | Republican |
| *Jergensen, James A. | Whitehall..... | Jefferson..... | Republican |
| Kalberg, F. S. | Circle..... | McCone..... | Republican |
| *Kane, Tom..... | Corvallis..... | Ravalli..... | Republican |
| *Kaulbach, J. | Fort Benton..... | Chouteau..... | Republican |
| Keeley, W. E. | Deer Lodge..... | Powell..... | Republican |
| Kelsey, Frank F. | Moorhead..... | Powder River..... | Republican |
| *Kemmis, W. D. | Sidney..... | Richland..... | Republican |
| Kilduff, J. F. | Malta..... | Phillips..... | Democrat |
| Lamp, F. M. | Big Timber..... | Sweet Grass..... | Republican |
| *Larson, T. O. | Choteau..... | Teton..... | Republican |
| MacGillvra, E. E. | Polson..... | Lake..... | Republican |
| Melton, George M. | Dillon..... | Beaverhead..... | Democrat |
| Murphy, Thos. F. | Anaconda..... | Deer Lodge..... | Democrat |
| *Page, John R. | Philipsburg..... | Granite..... | Democrat |
| Parkin, E. J. | Bozeman..... | Gallatin..... | Republican |
| *Pauline, Robert | Kalispell..... | Flathead..... | Republican |
| Plank, Leonard | Chester..... | Liberty..... | Democrat |
| Plumer, A. J. | Hysham..... | Treasure..... | Democrat |
| *Putnam, J. A. | Hardin..... | Big Horn..... | Democrat |
| Reed, Grant | Townsend..... | Broadwater..... | Republican |
| *Rowland, M. D. | Libby..... | Lincoln..... | Republican |
| *Ruffcorn, William | Glasgow..... | Valley..... | Republican |
| Simmons, H. A. | Red Lodge..... | Carbon..... | Republican |
| Sparling, J. T. | Flaxville..... | Daniels..... | Democrat |
| *Staggs, W. L. | Wibaux..... | Wibaux..... | Republican |
| Thien, Henry | Ryegate..... | Golden Valley..... | Independent |
| *Walker, Thomas J. | Butte..... | Silver Bow..... | Democrat |
| †Wass, L. M. A. | Roy..... | Fergus..... | Democrat |
| *Wheeler, Leon L. | Ekalaka..... | Carter..... | Republican |
| *Willis, S. A. | Great Falls..... | Cascade..... | Democrat |

*Holdover. Elected in 1930.

†Elected to fill unexpired term of E. E. Fenton, resigned.

‡Elected to fill unexpired term of Sam W. Teagarden, deceased.

FRANK CONE, Secretary.

House of Representatives

| NAME | Residence | County | Politics |
|----------------------|--------------|---------------|------------|
| Abrahamson, John C. | Roberts | Carbon | Democrat |
| Acher, John W. | Zurich | Blaine | Democrat |
| Anderson, Eric | Regina | Phillips | Republican |
| Annin, J. T. | Columbus | Stillwater | Republican |
| Arnold, John | Birney | Rosebud | Democrat |
| Balgord, O. P. | Lavina | Golden Valley | Republican |
| Ballard, Jack | Carlyle | Wibaux | Democrat |
| Beadle, M. Kerr | Butte | Silver Bow | Democrat |
| Besancon, Albert | Missoula | Missoula | Democrat |
| Bjorneby, E. G. | Kalispell | Flathead | Democrat |
| Blankenbaker, V. F. | Virgelle | Chouteau | Democrat |
| Breitenstein, A. J. | Havre | Hill | Democrat |
| Byrne, E. J. | Galata | Toole | Democrat |
| Campbell, Ray C. | Great Falls | Cascade | Democrat |
| Chapman, D. W. | Peerless | Daniels | Democrat |
| Conner, J. B. | Farmington | Teton | Democrat |
| Cusker, Dolly | Poplar | Roosevelt | Democrat |
| Daugherty, Dennis E. | Baker | Fallon | Democrat |
| Dellwo, D. A. | Charlo | Lake | Democrat |
| Doe, Everett | Philipsburg | Granite | Democrat |
| Doran, Tod | Butte | Silver Bow | Democrat |
| Duffy, James L. | Havre | Hill | Democrat |
| Ecton, Zales | Manhattan | Gallatin | Republican |
| Ferry, John F. | Butte | Silver Bow | Democrat |
| Findlater, R. P. | Miles City | Custer | Republican |
| Fitzstephens, Joseph | Belgrade | Gallatin | Democrat |
| Fowler, C. W. | Billings | Yellowstone | Republican |
| Freed, Eldon | Winnet | Petroleum | Democrat |
| Freudenstein, Lou | Butte | Silver Bow | Democrat |
| Givens, Frank G. | Great Falls | Cascade | Democrat |
| Goodwin, Phil C. | Butte | Silver Bow | Democrat |
| Grabow, Edward E. | Livingston | Park | Democrat |
| Green, Henry R. | Lindsay | Dawson | Republican |
| Groene, Merle C. | Lewistown | Fergus | Democrat |
| Hagerty, Dave J. | Miles City | Custer | Democrat |
| Haight, Herbert | Suffolk | Fergus | Democrat |
| Harlen, Harry C. | Chinook | Blaine | Democrat |
| Harrington, Jerry J. | Butte | Silver Bow | Democrat |
| Hilger, Peter | Helena | Lewis & Clark | Democrat |
| Holecck, J. F. | Lewistown | Fergus | Democrat |
| Jensen, Walter H. | Great Falls | Cascade | Democrat |
| Knowles, S. H. | Boulder | Jefferson | Republican |
| Kruse, Albert H. | Brusett | Garfield | Republican |
| Kuhl, Herman E. | Luther | Carbon | Democrat |
| Larsen, Leonard E. | Anaconda | Deer Lodge | Democrat |
| Lewis, David J. | Sioux Pass | Richland | Republican |
| Logan, E. U. | Billings | Yellowstone | Republican |
| Lott, Mortimer J. | Twin Bridges | Madison | Republican |
| Love, J. B. | Glendive | Dawson | Democrat |
| McCarvel, Thos. F. | Anaconda | Deer Lodge | Democrat |
| McDermott, Peter | Butte | Silver Bow | Democrat |
| McElwain, L. C. | Deer Lodge | Powell | Republican |
| Manning, D. M. | Hysham | Treasure | Democrat |
| Marshall, M. R. | Missoula | Missoula | Republican |
| Mason, George P. | Helena | Lewis & Clark | Democrat |
| Metlen, Joe | Armstead | Beaverhead | Democrat |
| Miles, Ben B. | McLeod | Sweet Grass | Republican |
| Miller, Robt. J. | Lodge Grass | Big Horn | Democrat |
| Miller, Timothy | Libby | Lincoln | Democrat |
| Moss, G. M. | Whitefish | Flathead | Republican |
| Mulholland, M. J. | Butte | Silver Bow | Democrat |
| Nass, J. N. | Glasgow | Valley | Democrat |
| Nelstead, T. E. | Ekalaka | Carter | Republican |
| Nutting, L. A. | Laurel | Yellowstone | Democrat |
| O'Connell, Jerry J. | Butte | Silver Bow | Democrat |
| O'Shea, Jas. | Roberts | Carbon | Democrat |
| Parker, Neil C. | Creston | Flathead | Republican |
| Parker, W. K. | Radersburg | Broadwater | Democrat |
| Pierson, Geo. W. | Billings | Yellowstone | Democrat |
| Pilgeram, Wm. P. | Armington | Cascade | Democrat |
| Porter, A. T. | Stevensville | Ravalli | Democrat |
| Quamme, T. N. | Brady | Pondera | Republican |
| Ragen, D. J. | East Helena | Lewis & Clark | Democrat |
| Ralston, Harry M. | Glacier Park | Glacier | Democrat |
| Rearden, John D. | Great Falls | Cascade | Democrat |

HOUSE OF REPRESENTATIVES—(Continued)

| NAME | Residence | County | Politics |
|--------------------------|-----------------------|-------------------|------------|
| Reardon, Ray | Anaconda..... | Deer Lodge..... | Democrat |
| Replogle, Bert | Lewistown..... | Fergus..... | Democrat |
| Rognlien, I. D. | Kalispell..... | Flathead..... | Democrat |
| Roll, Fritz | Great Falls..... | Cascade..... | Republican |
| Rolph, H. D. | Joplin..... | Liberty..... | Democrat |
| Sadring, John E. | Roundup..... | Musselshell..... | Republican |
| Schuster, Andrew L. | Avondale..... | Valley..... | Democrat |
| Setzer, G. W. | Malta..... | Phillips..... | Republican |
| Shannon, Ray N. | Thompson Falls..... | Sanders..... | Democrat |
| Snidow, T. A. | Billings..... | Yellowstone..... | Democrat |
| Somerville, Thomas | Wilsall..... | Park..... | Democrat |
| Spangler, R. W. | Superior..... | Mineral..... | Democrat |
| Sparling, Harry | Medicine Lake..... | Sheridan..... | Republican |
| Stephens, Guy C. | Circle..... | McCone..... | Democrat |
| Stevens, I. Thayer | Harlowton..... | Wheatland..... | Republican |
| Stiefel, E. A. | Belgrade..... | Gallatin..... | Democrat |
| Strange, G. B. | Stevensville..... | Ravalli..... | Republican |
| Sullivan, Dan W. | Butte..... | Silver Bow..... | Democrat |
| Trenne, M. P. | Poplar..... | Roosevelt..... | Republican |
| Ueland, Andrew | Outlook..... | Sheridan..... | Republican |
| Waite, W. T. | Broadus..... | Powder River..... | Republican |
| Watson, Arthur H. | White Sul. Sprgs..... | Meagher..... | Republican |
| Watson, Fred | Missoula..... | Missoula..... | Republican |
| Whaley, James | Fallon..... | Prairie..... | Democrat |
| White, B. C. | Buffalo..... | Judith Basin..... | Democrat |
| Wigal, E. E. | Missoula..... | Missoula..... | Democrat |
| Woodcock, J. W. | Fort Benton..... | Chouteau..... | Democrat |

JOHN J. JEWELL, Chief Clerk.

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| 24 | A Bill for an Act entitled: "An Act to provide for state insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith: To provide for the levying of assessment premiums, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act." | 64, 434, 479, 524. |
| 25 | A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate, and corporation engaging in or carrying on the business of distributing to the public within this state, natural gas, to pay to the State Treasurer for engaging in carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violation of the provisions of this Act." | 66, 311. |
| Sub. 25 | A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaging in or carrying on the business of distributing natural gas within this state or conducting the same through a pipe line to a point outside the state; to pay to the State Treasurer for engaging in carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing the method for the assessment and collection thereof; and prescribing penalties for the violation of the provisions of this Act." | 311, 358, 367, 502, 513, 523, 532, 574, 652, 656. |
| 26 | A Bill for an Act entitled: "An Act to amend Sections 5183, 5184, 5185, 5186, Revised Codes of Montana, 1921, relating to the licensing and examination of master plumbers and journeyman plumbers in cities and towns of more than three thousand inhabitants; establishing a system of examination for master plumbers and journeyman plumbers; fixing the fees to be charged for licenses and the disposition of the funds thus created; providing penalties for violations of the provisions of this Act; defining the terms 'Master Plumber' and 'Journeyman Plumbers'." | 66, 171. |
| 27 | A Bill for an Act entitled: "An Act to amend Section 13 of Chapter 146 of the Session Laws of the Twenty-second Legislative Assembly of Montana 1931." | 67, 161. |

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| Sub. 27 | A Bill for an Act entitled: "An Act to amend Section 13 of Chapter 146 of the Session Laws of the Twenty-second Legislative Assembly of Montana, 1931, relating to consideration of budgets." | 161, 169, 219, 220, 236, 250, 272, 292, 320, 383, 460, 572. |
| 28 | A Bill for an Act entitled: "An Act to amend Sections 2816, 2841, 2843, and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1921; all relating to workmen's compensation; and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations." | 67, 96, 171, 201, 220, 252, 261, 298, 580, 592. |
| 29 | A Bill for an Act entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivision thereof; providing for the creation of a board of official bonds and of a fund to be known as the official bond liability fund; prescribing the duties and powers of said board of official bonds and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials." | 75, 158. |
| 30 | A Bill for an Act entitled: "An Act to amend Section 813 of the Revised Codes of Montana, 1921, providing for the election of presidential electors and that the names of the candidates for President and Vice-President of the United States be placed on ballots." | 75, 86, 98, 104, 119, 123, 140, 175, 184, 198, 204, 205, 209, 210. |
| 31 | A Bill for an Act entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of | |

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| | Montana, relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy therefor."..... | 75, 157, 171, 180, 190, 194, 213, 499, 575, 592, 631, 653, 661, 677, 682, 683. |
| 32 | A Bill for an Act entitled: "An Act defining 'strip mining,' providing for the hours of labor of said work and providing penalty for the violation of this Act." | 75, 96, 125, 207, 226, 236, 250, 272, 292, 293, 320, 423, 460, 572, 603, 608, 626. |
| 33 | A Bill for an Act entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors; providing further for notice and inspection of electrical construction, appliances, safety devices and apparatus, for the payment of inspection fees and prescribing penalties for violations of this Act."..... | 75, 121, 144, 150, 190, 191, 194, 206, 207, 208. |
| 34 | A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, and again amended by Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, relating to open season for deer, and providing penalties for the violation thereof"..... | 75, 102, 156, 178, 209, 226, 256, 430, 460, 575, 579, 594, 639, 662, 743, 754, 755. |
| 35 | A Bill for an Act entitled: "An Act to amend Section 4775 of the Revised Codes of Montana for the year 1921, relating to the appointment of Under-Sheriffs." | 75, 125, 133, 153, 160, 167, 168, 324, 349, 365, 379, 382, 392, 407. |
| 36 | A Bill for an Act entitled: "An Act to amend Section 1061 of the Revised Codes of Montana of 1921, changing the duration of sessions of school in order to entitle a district to receive an apportionment of school moneys." | 82. |

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| 37 | A Bill for an Act entitled: "An Act creating a highway patrol for the State of Montana, under the control and supervision of the Registrar of Motor Vehicles; providing for the organization, regulation, powers and duties; and providing a fund for the maintenance of such patrol."..... | 83, 151, 183. |
| 38 | A Bill for an Act providing for a basis of imposition of taxes on agricultural land, grazing land and timber land, with improvements thereon, and amending all Acts and parts of Acts in conflict herewith." | 83, 125, 395. |
| 39 | A Bill for an Act entitled: "An Act relating to the election of Mayor and Councilmen under the commission form of government and providing when names of candidates at primary elections shall not be placed upon the general municipal election ballot and when no general municipal election shall be held." | 83, 119, 133, 143, 147, 152, 258, 277, 298, 308, 329, 347. |
| 40 | A Bill for an Act entitled: "An Act to appropriate moneys from the fish and game fund of the State of Montana for payment of claim of A. A. Ellis for damages and injury caused by elk transported to Red Lodge by the Fish and Game Department and Rod and Gun Club."..... | 88, 90, 98, 109. |
| 41 | A Bill for an Act entitled: "An Act to amend Section 8290 of the Revised Codes of the State of Montana of 1921 relating to mortgages on growing crops and the lien thereof." | 89, 158, 178, 194, 201, 203, 417, 479, 480, 498, 505, 506, 573, 588, 592. |
| 42 | A Bill for an Act entitled: "An Act to amend Section 9104 of the Revised Codes of Montana of 1921 relating to costs of trial as between counties in actions after change of place of trial and for reimbursement of such costs to counties by unsuccessful parties in such actions."..... | 89, 146. |
| 43 | A Bill for an Act entitled: "An Act providing for the maximum legal rate of interest effective in Montana; defining usurious interest contracts; providing for the cancellation of said contracts; providing for building association contracts; defining salary and chattel mortgage loans and fixing the legal rate of interest thereon; prescribing penalties for the violation of the provisions of this Act; and repealing Sections 7725, 7726, 7727 and 7728 of the Revised Codes of Montana, 1921." | 89, 223. |

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| 44 | A Bill for an Act entitled: "An Act to amend Section 2038 of the Revised Codes of Montana of 1921, as amended by Chapter 43 of the Session Laws of 1925, relating to traveling expenses of the County Assessor and Deputies."..... | 89, 133, 153, 160, 168, 255, 256. |
| 45 | A Bill for an Act entitled: "An Act to provide for the disposition of moneys heretofore or hereafter seized or taken, and confiscated in cases of the violation of the gambling laws of the State of Montana." | 89, 121, 144, 153, 160, 168, 301, 365, 379, 382, 392, 408. |
| 46 | A Bill for an Act entitled: "An Act appropriating money for the two-year period beginning July 1, 1933, and ending June 30, 1935, for the payment of refunds or drawbacks under the provisions of Chapter 168, Laws of the Twenty-first Legislative Assembly of the State of Montana, or any amendments thereto; relating to refunds of license taxes paid by dealers in gasoline."..... | 95, 119, 133, 143, 160, 166, 366, 422, 572, 645, 646, 660. |
| 47 | A Bill for an Act entitled: "An Act appropriating money for the State Highway Commission for the period beginning July 1, 1933, and ending June 30, 1935." | 96, 119, 133, 143, 160, 166, 167, 735, 739, 741, 743, 754, 755. |
| 48 | A Bill for an Act entitled: "An Act permitting Herman A. Kruger of Hill County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident."..... | 96, 127, 144, 153, 160, 168, 169, 256, 277, 298, 308, 329, 347. |
| 49 | A Bill for an Act entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvements thereon (except improvements used for business or industrial purposes)." | 102, 395, 396, 426, 431, 476, 479, 487, 488, 489, 573, 630, 631. |
| 50 | A Bill for an Act entitled: "An Act to amend Section 816 of the Revised Codes of Montana of | |

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| | 1921, relating to the time and place of meeting of the presidential electors." | 102, 119, 133, 143, 147, 152, 258, 277, 293, 294, 298, 308, 329, 348. |
| 51 | A Bill for an Act entitled: "An Act to amend Section 8933 of the Revised Codes of Montana of 1921 as amended by Chapter 36 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, relating to the salaries and expenses of transportation and living of court stenographers when on official business in other counties than the one in which they reside." | 102, 145. |
| 52 | A Bill for an Act entitled: "An Act to fix the fiscal year of counties and cities for budget administrative purposes only, from January 1st to December 31st of each year instead of from July 1st of one year to June 30 of the following year as now provided; and to provide for an eighteen month budget for the period from July 1st, 1933, to December 31, 1934, which is made necessary by this proposed change." | 102, 145. |
| 53 | A Bill for an Act entitled: "An Act to amend Section 4741 of the Revised Codes of Montana of 1921 relating to the classification of counties." | 102, 191. |
| 54 | A Bill for an Act entitled: "An Act to amend Section 807 of the Revised Codes of Montana of 1921, relating to the printing in pamphlet form of election laws." | 103, 139, 156, 176, 194, 206, 208, 740. |
| 55 | A Bill for an Act entitled: "An Act creating a highway patrol for the State of Montana under the control and supervision of the State Highway Commission, providing for its organization, regulation, powers and duties, and providing a fund for the maintenance of such patrol, and providing penalties for the violation of this Act." | 103, 182. |
| 56 | A Bill for an Act entitled: "An Act to amend Section 4875 of the Revised Codes of Montana for the year 1921 relating to the number of Deputies and Under-Sheriffs allowed county officers." | 110, 239. |
| 57 | A Bill for an Act entitled: "An Act providing that no deficiency judgments shall exist after foreclosure of mortgages executed for securing payment of unpaid balance on the purchase price of real property and defining the term foreclosure." | 110, 192, 210, 236, 252, 260, 298, 605, 630, 631. |

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| 58 | A Bill for an Act entitled: "An Act providing for the registration and licensing of motor vehicles of non-resident owners, providing for registration cards and identification thereof and for licenses in certain cases, providing for registry offices, and repealing Chapter 121 of the Twenty-first Legislative Assembly of the State of Montana and all laws and parts of laws in conflict herewith."..... | 110, 156. |
| 59 | A Bill for an Act entitled: "An Act defining the duties of court stenographers and disposition of charges for making up transcripts by them."..... | 110, 205. |
| Sub. 59 | A Bill for an Act entitled: "An Act defining the duties of court stenographers with reference to transcripts made by them and amending Section 8931 of the Revised Codes of Montana of 1921."..... | 205, 226, 236, 332, 361, 379, 390, 391. |
| 60 | A Bill for an Act entitled: "An Act permitting the mortgagor in a chattel mortgage or his successor in interest to redeem from a chattle mortgage foreclosure sale." | 110, 145, 180. |
| 61 | A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 168 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana of 1929, providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled; and providing the procedure for obtaining refund on drawback." | 110, 333. |
| 62 | A Bill for an Act entitled: "An Act to license gasoline dealers engaged in business in the State of Montana; requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes; providing for revocation of licenses, defining the term 'gasoline dealer' and making violations of the provisions of this Act a misdemeanor."..... | 110, 160, 182, 217, 218, 226, 233, 256, 324, 349, 366, 422, 499, 572, 580, 588, 599, 619, 620, 665, 674. |
| 63 | A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 1 Article 12, of the Constitution of the State of Montana, relating to revenue and taxation; providing for the levy and collection by the state of taxes upon incomes and the distribution of said taxes to the public schools and the state and county governments." | 110, 452. |

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| 64 | A Bill for an Act entitled: "An Act to reapportion the representation of the various counties in the State of Montana, in the House of Representatives of the State of Montana according to the federal census of 1930 and to repeal Sections 44 and 45 of the Revised Codes of Montana of 1921." | 110, 164, 464, 465. |
| 65 | A Bill for an Act entitled: "An Act to amend Sections 1757, 1758, 1759 and 1760 Revised Codes of Montana, 1921, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1931, to amend Section 4 of Chapter 158 Session Laws 1931 and to repeal Section 3 of Chapter 158 Session Laws 1931, all relating to the registration of motor vehicles." | 111, 201, 226. |
| Sub. 65 | A Bill for an Act entitled: "An Act to amend Section 1760 Revised Codes of Montana, 1921, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1927, Chapter 182 Session Laws 1929, Montana, to amend Section 4 of Chapter 158 Session Laws 1931 and to repeal Section 3 of Chapter 158 Session Laws 1931, all relating to the registration and registration fees of motor vehicles and dealers in motor vehicles." | 226, 267, 293, 294, 316, 327, 681. |
| 66 | A Bill for an Act entitled: "An Act to amend Section 8366 of the Revised Codes of Montana 1921 as amended by Chapter 112 Laws of 1931 relating to liens of threshermen and owners of combine harvesters and threshers upon grains or crops." | 116, 183, 205, 220, 221, 240, 247, 248, 276, 353, 365, 422, 572, 599, 600, 620, 621, 665, 674. |
| 67 | A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Justin D. Lovely as compensation or as a pension for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same." | 116, 121. |
| 68 | A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about cement plants and at quarries and hydroelectric dams, and providing penalties for a violation thereof." | 116, 207, 226, 236, 250, 272, 284, 285, 320, 423, 460, 572, 603, 608, 626. |

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| 69 | A Bill for an Act entitled: "An Act to amend Section 38 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of Montana, relating to the establishment of district high schools." | 116, 127, 144, 153, 160, 167, 212, 243, 255, 272, 288, 297. |
| 70 | A Bill for an Act entitled: "An Act to amend Section 2201 of the Revised Codes of Montana of 1921, relating to the time of redemption of tax sales." | 116, 235. |
| Sub. 70 | A Bill for an Act entitled: "An Act to amend Section 2201 of the Revised Codes of Montana of 1921, relating to the time of redemption from tax sale." | 235, 242, 253, 293, 316, 329, 356, 436, 479, 496, 503, 504, 573, 731, 732, 735, 739, 740, 767, 768. |
| 71 | A Bill for an Act entitled: "An Act to amend Section 2201 of the Revised Codes of Montana, 1921, and Sections 2214 and 2215 of the Revised Codes of Montana, 1927, as amended by Chapter 85 of the Session Laws of 1927, extending the time of redemption of property sold for delinquent taxes and extending the period of redemption in Acts commenced for the validation of tax deeds and repealing all Acts and parts of Acts in conflict herewith." | 116, 235. |
| 72 | A Bill for an Act entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of Justices of the Peace." | 117, 144, 160, 176, 180, 189, 222, 236, 245, 334, 361, 372, 417. |
| Sub. 72 | A Bill for an Act entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of Justice of the Peace." | 417, 450, 479, 498, 508, 509, 573, 603, 605. |
| 73 | A Bill for an Act entitled: "An Act to amend Section 1759 of the Revised Codes of Montana of 1921, as amended by Chapter 113 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 181 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana of 1931, relating to registration and re-registration of motor | |

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| | vehicles, providing for application for registration and time for making application, assessment and payment of taxes on motor vehicles prior to registration, issuance and assignment of number plates and exhibition thereof, distribution of taxes and license fees collected, application for dealer's license, replacement of number plates, exemption of non-resident owners; prescribing the duties of Registrar of Motor Vehicles and County Assessors and County Treasurers; to amend Section 1757 of the Revised Codes of Montana of 1921 relating to number plates of motor vehicles, prescribing the specifications thereof and providing for assignment of index numbers to counties of state; to amend Section 2002 of the Revised Codes of Montana of 1921 providing when assessment of property shall be made, when and how credits must be assessed, and when motor vehicles shall be assessed; to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, as amended by Chapter 79 of the Session Laws of the State of Montana of 1929, as amended by Chapter 67, of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, of 1931, providing for the payment of general taxes, special improvement assessments and taxes on motor vehicles; and repealing all Acts and parts of Acts in conflict with the proposed Act." | 117, 153, 178, 209, 250, 251, 269, 309, 314, 589, 591, 604, 614, 616, 626, 646, 674, 727, 728, 732. |
| 74 | A Bill for an Act entitled: "An Act to amend Section 6199 of the Revised Codes of Montana of 1921, and amended by the Session Laws of 1931, relating to mutual insurance companies."..... | 122, 145, 160, 176, 191. |
| Sub. 74 | A Bill for an Act entitled: "An Act to amend Section 6199 of the Revised Codes of Montana of 1921, and as amended by Section 2, of Chapter 62, of the 1931 Session Laws, relating to mutual rural insurance companies." | 191, 210, 236, 252, 261, 298, 429, 430. |
| 75 | A Bill for an Act entitled: "An Act requiring all contracts for state, county, municipal and school construction or repair work and maintenance to be let to bona fide residents of the State of Montana, except in cases where Federal Aid funds are involved and Federal statutes contain requirements inconsistent herewith, and providing | |

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| | that contracts entered into in violation of the terms hereof shall be void." | 122, 180, 220, 240, 309, 315, 630, 633. |
| 76 | A Bill for an Act entitled: "An Act to provide for postponement of sale under execution or mortgage foreclosure, providing the terms thereof, and amending Section 9435 of the Revised Codes of Montana of 1921." | 122, 205, 226, 235, 250, 272, 285, 320, 603, 605. |
| 77 | A Bill for an Act entitled: "An Act to amend Section 1755 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 129 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, as amended by Chapter 181 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana of 1931, to amend Section 1758 of the Revised Codes of Montana of 1921, all relating to registration and re-registration of motor vehicles, trailers and semi-trailers, motor and accessories dealers and operators and chauffeurs, prescribing the duties of the Registrar of Motor Vehicles and records to be kept, providing for issuance of certificates of registration and ownership and containers therefor; defining the terms 'owner' and 'legal owner'; providing for renewal of registration, transfer of title or interest in motor vehicles and issuance of new certificates of registration and ownership, for filing of chattel mortgages and conditional sales contracts with Registrar of Motor Vehicles; registration of holder as legal owner, the same being constructive notice of said mortgage or conditional sales contract, fees for certificates and transfers of title; duplicate certificates, and chauffeur's badge." | 122, 156, 182, 217, 230, 253, 293, 316, 328, 329, 589, 604, 612, 626, 642, 708, 715, 717. |
| 78 | A Bill for an Act entitled: "An Act amending Chapter 121 of the Session Laws of the Twenty-first Legislative Assembly entitled: 'An Act providing for the registration and licensing of motor vehicles of non-resident owners and providing for registration cards and identification thereof.'" | 123, 156, 182, 217, 236, 252, 262, 298, 632, 666, 708, 715, 717. |

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| 79 | A Bill for an Act entitled: "An Act levying a license tax on electricity and electrical energy, generated, manufactured or produced in the State of Montana, for barter, sale or exchange and providing for the collection of such taxes and prescribing penalties for the violation of this Act."..... | 129, 274, 579. |
| 80 | A Bill for an Act entitled: "An Act to amend Section 2875 of the Revised Codes of Montana of 1921, relating to workmen's compensation."..... | 129, 420. |
| 81 | A Bill for an Act entitled: "An Act to amend Section 11973 of the Revised Codes of Montana, 1921, relating to the separate and joint trials of persons jointly charged with the commission of public offenses." | 130, 193. |
| 82 | A Bill for an Act entitled: "An Act providing for the licensing of automobile mechanics; for the application for such license; for a board of automobile mechanics examiners; for examination fee and renewal of licenses; for rules and regulations as to apprentices; for regulations as to the use of moneys paid as license fees; for the revocation of such licenses; for issuance of licenses without examination and fixing a penalty for the violation of this Act." | 130, 181. |
| 83 | A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of the six (6) units of the University of Montana, for the agricultural experiment stations and the sub-stations, for farmers' extension work, for the bureau of mines, for the students' railroad fare refund, for the period beginning July 1, 1933, and ending June 30, 1935." | 130, 133, 156, 164, 176, 177, 193, 194, 206, 208, 631, 668, 691, 694, 696, 704, 722, 741, 742, 767, 768. |
| 84 | A Bill for an Act entitled: "An Act to amend Section 6573 of the Revised Codes of Montana of 1921, as amended by Chapter 113, Session Laws Twenty-first Legislative Assembly, 1929, relating to persons to whom free transportation may be issued." | 130, 267, 296, 315, 347, 357, 358, 382, 423, 460, 572, 628, 638, 642. |
| 85 | A Bill for an Act entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, 1921, as amended by Section 10 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to | |

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| | State Auditor to pay cities and towns fifty per centum (50%) of licenses collected for the maintaining disability and pension fund of the Fire Department Relief Association of a city or town." | 130, 138, 156, 176, 194, 209, 274, 293, 294, 305, 347, 356, 382, 462, 574, 579, 594, 619, 665, 674. |
| 86 | A Bill for an Act entitled: "An Act to create a public corporation to be known as 'the State Bar of Montana'; to provide for its organization, government, membership and powers; to regulate the practice of law in the State of Montana; to provide penalties for the violation of this Act, and to repeal Sections 8937, 8938, 8939, 8942, 8945, 8946, 8947, 8948, 8949, 8950, 8952, 8953, 8955, 8956, 8957, 8959 and 8960 of the Revised Codes of Montana, 1921, and all Acts and parts of Acts in conflict herewith." | 135, 240, 241, 287, 315, 316, 335. |
| 87 | A Bill for an Act entitled: "An Act to regulate the conduct of collection agencies and providing a penalty for the violation thereof." | 135, 145, 160, 176, 180, 189, 192, 220, 252, 262, 298, 498, 500. |
| 88 | A Bill for an Act entitled: "An Act authorizing Boards of Trustees of school districts to issue warrants for the maintenance of the schools of the districts during the school year ending June 30, 1933, in excess of the amount of taxes levied by such school districts and in excess of the available funds which will accrue to such school districts during such school year; validating all warrants issued by school districts, whether issued in excess of the amount of taxes levied or otherwise, and outstanding and unpaid at the close of the school year ending June 30, 1933; and authorizing Boards of Trustees of school districts to levy special taxes for the payment of all warrants outstanding and unpaid at the close of the school year ending June 30, 1933, or to issue funding bonds and fund the same." | 141, 160, 182, 217, 218, 226, 233, 256, 633, 668, 689, 708, 715, 717. |
| 89 | A Bill for an Act entitled: "An Act to authorize a trapper's license restricted to lands owned or occupied by applicant." | 142, 211, 236, 242, 250, 272, 285, 286, 320, 423, 460, 572, 603, 608, 626. |

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| 90 | A Bill for an Act entitled: "An Act to amend Section 4884 of the Revised Codes of Montana, 1921, relating to mileage of all officers; and to amend Section 958 of the Revised Codes of Montana, 1921, relating to mileage of School Trustees; and to amend Chapter 80 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the charge to be allowed to any state or county officer for the use of automobile when necessarily used in the performance of his official duty; and to amend Section 8 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly relating to compensation of members of Boards of Trustees of county high schools." | 142, 157, 171, 180, 190, 193, 194, 213, 256, 277, 298, 327, 329, 348. |
| 91 | A Bill for an Act entitled: "An Act to amend Section 3210 of the Revised Codes of 1921, as amended by Chapter 123, Session Laws of 1925, and Chapter 129, Session Laws of 1929, relating to the qualifications for admission to schools for nurses." | 142, 192, 210, 236, 252, 263, 298, 324, 366, 421, 423, 450, 578. |
| 92 | A Bill for an Act entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, to be stopped at all railway grade crossings before traversing such crossings." | 142, 192, 209, 364. |
| 93 | A Bill for an Act entitled: "An Act permitting any motor carrier authorized by the Board of Railroad Commissioners of the State of Montana to transport persons and/or property for hire over any public highway in the State of Montana, aggrieved by the cancellation and/or refusal of issuance of motor vehicles liability insurance policy or bond by any insurance or surety company authorized to do business within the State of Montana, to file complaint with the Commissioner of Insurance of the State of Montana; authorizing the Commissioner of Insurance after notice to the parties and public hearing held to make appropriate finding or findings and enter an order thereon; providing for an appeal to the district court from the decision of the Commissioner of Insurance and for an appeal to the Supreme Court of the State of Montana from any decree of the District Court or a Judge thereof and authorizing the Commissioner of Insurance to | |

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| | revoke or suspend the license of any company failing to comply with his said order or decree of court entered upon appeal from his said order." | 142, 241, 272, 305, 306, 347, 358, 382, 634, 691, 692, 709, 733, 736. |
| 94 | A Bill for an Act entitled: "An Act to amend Sections 3142 and 3149 of the Revised Codes of Montana of 1921 relating to the qualifications of persons practicing chiropractic, the collection of renewal license fees and the regulation of the practice of chiropractic." | 142, 219, 236, 242, 250, 272, 286, 320, 423, 460, 572, 603, 608, 626. |
| 95 | A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana 1929 and to amend Sections 3 and 9 of the Session Laws of the Twenty-first Assembly of the State of Montana, 1929, as amended by Chapter 18 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana 1931, defining the practice of barbering, the qualifications and certificate and registration of registered barbers; defining the powers and duties of the Board of Examiners." | 142, 192, 210, 220, 221, 240, 245, 250, 309, 310, 339, 379, 390, 462, 572, 573. |
| 96 | A Bill for an Act entitled: "An Act to amend Section 5121 of the Revised Codes of Montana, 1921, as amended by Chapter 58, of the Laws of the Twentieth Legislative Assembly, relating to duties of Trustees of the Fire Department Relief Association and to amend Section 5130 of the Revised Codes of Montana of 1921 as amended by Chapter 58 of the Laws of the Twentieth Legislative Assembly, and as further amended by Chapter 137, of the Laws of the Twenty-first Legislative Assembly relating to duties of the Secretary and Treasurer of Fire Department Relief Association; the official bond of the Treasurer and the duties of the State Examiner with reference to the examination of the books and accounts of such association, and prescribing qualifications for membership in such associations." | 146, 183, 205, 220, 221, 240, 248, 276, 324, 366, 421, 424, 431, 432, 459, 464, 578. |
| 97 | A Bill for an Act entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of | |

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| | Montana of 1921 relating to the statement of gross yield of mines net proceeds, the computation and taxation thereof; as amended by Chapter 191 of the Nineteenth Session, Chapters 139 and 140 of the Twentieth Session, and Chapter 133 of the Twenty-second Session of the Legislative Assembly of the State of Montana."..... | 146, 178, 179, 220, 240, 309, 315, 461, 572, 580, 606, 631, 653, 654, 661, 679, 684, 729, 732, 738. |
| 98 | A Bill for an Act entitled: "An Act to appropriate money for the payment of the claim of Ford E. Hovey and Matt H. Tschirgi, as executors of the last will and testament of Frank M. Heinrich, deceased, for the repayment of excess inheritance tax paid by the said executors."..... | 151, 274. |
| 99 | A Bill for an Act entitled: "An Act to amend Chapter 102 of the Session Laws of the Twenty-second Legislative Assembly, 1931, relating to contracts on public works; providing for preferential employment and rate of wages to be paid; providing for posting of notice of such wages in conspicuous place; providing for revocation of contract for failure to comply with provisions of this Act; providing for penalties for failure to enforce the provisions of this Act."..... | 151, 180, 181, 190, 220, 235, 435, 479, 480, 498, 507, 508, 573, 630, 632. |
| 100 | A Bill for an Act entitled: "An Act providing for the appointment of special railroad police officers, prescribing their qualifications, powers and duties, compensation, term of office, and issuance of commissions thereto, and providing for the disposition of persons arrested by them."..... | 151, 161, 182, 217, 218. |
| 101 | A Bill for an Act entitled: "An Act to amend Section 1012 of the Revised Codes of Montana of 1921, relating to the authority of school districts to issue warrants before school moneys are collected; and making valid and legal all warrants heretofore issued in conformity therewith."..... | 151, 211, 236, 242, 250, 272, 292, 320, 422, 460, 572, 603, 611, 626. |
| 102 | A Bill for an Act entitled: "An Act amending Section 1204 of the Revised Codes of Montana, 1921, relating to the apportionment of common school funds." | 151, 251, 404, 405, 435, 450, 479, 491, 492, 493, 573, 711, 713. |

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| 103 | A Bill for an Act entitled: "An Act to repeal Section 976 of the Revised Codes of Montana of 1921 relating to the publication of annual financial statements of school districts by County Superintendents of Schools." | 151, 297, 329, 361, 379, 391, 483, 575, 578, 580. |
| 104 | A Bill for an Act entitled: "An Act to repeal Chapter 94 of the Session Laws of the Twenty-first Legislative Assembly of 1929 relating to the erection and operation of residence halls at state educational institutions." | 151, 158, 160, 182, 217, 226, 232, 233, 256. |
| 105 | A Bill for an Act entitled: "An Act to amend Sections 3779, 3782, and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the State Board of Equalization of the State of Montana." | 165, 469, 470. |
| 106 | A Bill for an Act entitled: "An Act to repeal Section 1999 of the Revised Codes of Montana of 1921 and to amend Section 2000 of the Revised Codes of Montana of 1921 relative to the classification of property for taxation and the value for the basis for imposition of taxes." | 165, 396. |
| 107 | A Bill for an Act entitled: "An Act amending Sections 1, 2 and 7 of Chapter 124 Session Laws of the State of Montana of 1927 and providing for an additional section to said Act to be known as Section 7-A; relating to the duties of the State Scale Expert; providing for the enforcement of this Act; fixing fees to be collected for said inspections and providing for the transfer of all calibrating equipment from the office of the Secretary of State to the scale division of the Department of Agriculture." | 165, 182, 205, 220, 236, 252, 263, 298, 353, 365, 421, 450, 578. |
| 108 | A Bill for an Act entitled: "An Act to amend Section 2918 of the Revised Codes of the State of Montana of 1921, as amended by the Session Laws of 1929, relating to workmen's compensation." | 165, 470. |

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| 109 | A Bill for an Act entitled: "An Act regarding the organization, management, control and discipline of the water departments in cities having a population of twenty-eight thousand or more, which own and operate a plant for the supply of water to their inhabitants; establishing a basis for determining the population of such cities; prescribing the powers of the Mayor, Council and City Surveyor, City Engineer, or other head of the engineering department, in reference to such water department; dividing the service in such department into unclassified and classified service and specifying such classes; prescribing the qualifications of members in the classified service, their term, the method of their appointment, trials for misconduct or malfeasance in the classified service, and suspension or discharge and to provide for a water department examining and trial board to examine all applicants for the classified service in the water department, and to try and determine all charges against those engaged in such service; prescribing the method of review of the decisions and sentences of such board; defining the eligible list in the classified service and providing for promotions and filling of vacancies in such service; and otherwise relating to matters connected with the classified service in the water departments of such cities."..... | 165, 251, 296, 329, 361, 379, 402, 403. |
| 110 | A Bill for an Act entitled: "An Act to amend Section 2899 of the Revised Codes of the State of Montana of 1921, relating to workmen's compensation." | 165, 469, 498, 523, 533, 534, 535, 574, 591, 603, 604. |
| 111 | A Bill for an Act entitled: "An Act authorizing the state to engage in the purchase of crude oil and the purchase and sale of gasoline, oils and lubricants; to construct, purchase or lease and operate oil refineries; providing the manner in which said business shall be initiated and conducted, and making an appropriation for the purpose of carrying out the provisions of the Act.".... | 165, 177, 206, 226, 236, 252, 264, 298, 366, 462, 572, 580, 596, 597, 599, 619, 665, 674. |
| 112 | A Bill for an Act entitled: "An Act relative to the payment of bonded indebtedness of school districts upon the creation of a new district." | 166, 254, 296, 315, 316, 347, 359, 382, 656, 666, 668, 682, 688. |

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| 113 | A Bill for an Act entitled: "An Act relating to the sale of cigarettes, and cigarette papers and wrappers and papers used and prepared for the making of cigarettes; providing for issuing licenses for the privilege of engaging in the business of the sale thereof and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof and penalty for violation of this Act and defining the duties of state and county officials." | 166, 411. |
| Sub. 113 | A Bill for an Act entitled: "An Act relating to the sale of cigarettes, and cigarette papers and wrappers and papers used and prepared for the making of cigarettes and imposing taxes thereon, and the levy, assessment, collection, payment, and distribution of a tax thereon; providing for issuing licenses for the privilege of engaging in the business of the sale thereof and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act, and defining the duties of state and county officials." | 411, 450, 472, 484, 489, 490, 513, 514, 520, 521, 523, 539, 540, 541, 558, 574, 575, 722, 741. |
| 114 | A Bill for an Act entitled: "An Act legalizing and validating tax deeds heretofore issued notwithstanding any error in the form, substance or amounts stated in notice of application for tax deed unless the amount actually due for taxes, interest and penalty has been tendered to the holder of the tax deed or County Treasurer before the approval of this Act." | 166, 197, 219, 236, 252, 263, 264, 298, 668, 692, 693, 727, 728, 732. |
| 115 | A Bill for an Act entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by any competing form of transportation service; and to prohibit the control of both competing forms of transportation by any railroad company, and prescribing a penalty for violation of this Act." | 166, 171, 268. |
| 116 | A Bill for an Act entitled: "An Act to provide for a license tax to be paid by all persons, firms, co-partnerships and corporations owning or operating hydro-electric power plants, hydro-elec- | |

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| | tric light plants, or electric transmission lines or any system for the distribution or sale of electricity generated by water power." | 175, 456. |
| 117 | A Bill for an Act entitled: "An Act abolishing liability of cities and towns in the State of Montana on account of defects, holes, obstructions, or depressions in streets, sidewalks and public ways." | 175, 184, 205, 220, 221, 317, 361. |
| 118 | A Bill for an Act entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Northern Montana Forestry Association, Kalispell, Montana, on account of fire suppression during the year 1931." | 175, 183, 205, 220, 221, 240, 249, 276, 589, 604, 628, 638, 642. |
| 119 | A Bill for an Act entitled: "An Act to provide for the payment by the State of Montana, to any association or individual, the cost of maintaining neglected or dependent children." | 175, 210. |
| 120 | A Bill for an Act entitled: "An Act to amend Section 443 of the Revised Codes of Montana, 1921, as amended by Chapter 86 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, relating to the limitation of traveling or other expenses of public officers or employees attending conventions or meetings and the payment of membership fees and dues." | 175, 455, 496, 526, 551, 574, 605, 631, 652, 665, 674. |
| 121 | A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana an amendment to Section Five, Article XVI, granting the Board of County Commissioners the power to consolidate county offices, and providing the procedure for the consolidation of county offices." | 175, 480, 484, 512, 516, 523, 529, 533, 534, 574, 735, 739, 741, 754, 755, 767. |
| 122 | A Bill for an Act entitled: "An Act defining, licensing and regulating dealers at wholesale as herein defined; defining the words 'produce,' 'person,' and 'commissioner'; outlining the procedure to obtain a license; providing for the date of expiration of licenses, the amount, and the posting thereof; fixing the amount of bonds and defining the conditions thereof; providing for filing of commission schedules, the keeping of records and the report to shippers by dealers; providing for appeals from actions of the commis- | |

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| | sioner and how appeals may be taken; providing for handling money received from license fees; imposing certain duties and conferring certain powers upon the Commissioner of Agriculture and prescribing penalties for violation of this Act." | 175, 241, 242, 287, 339, 340, 361, 367, 454, 495, 496, 516, 525, 551, 573, 605, 631, 652, 682. |
| 123 | A Bill for an Act entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Blackfoot Forest Protective Association, Bonner, Montana, on account of fire suppression during the year 1931." | 176, 183, 205, 220, 221, 240, 249, 276, 589, 604, 665, 666, 674. |
| 124 | A Bill for an Act entitled: "An Act relating to the licensing of motor vehicle operators, prescribing what operators must be licensed, what persons shall not be licensed, providing for an examination of applicants, suspension and revocation of license and penalties for driving without license." | 176, 206, 226, 236, 252, 264, 298, 353, 365, 376, 421, 422, 604. |
| 125 | A Bill for an Act entitled: "An Act relating to the letting of contracts for public works, and providing for the purchasing of materials and supplies manufactured or produced in Montana to be used in public works and providing for the giving of a differential of five per cent to persons, corporations or concerns who manufacture or produce such materials and supplies in the State of Montana." | 179, 437. |
| 126 | A Bill for an Act entitled: "An Act appropriating money for custodian and maintenance and repairs of the Montana State Fair Grounds and buildings beginning July 1, 1933, and ending June 30, 1935." | 179, 182, 205, 220, 221, 240, 248, 249, 276, 366, 422, 572, 599, 620, 665, 674. |
| 127 | A Bill for an Act entitled: "An Act to amend Chapter 148 of the Session Laws of the Twenty-first Legislative Assembly of Montana, commonly called 'the county budget Act' by adding thereto an additional section providing the trans- | |

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| | fer of money from any fund for use for relief in case an emergency is declared by the Governor." | 179, 437. |
| Sub. 127 | A Bill for an Act entitled: "An Act authorizing the Board of County Commissioners of any county to transfer moneys in county funds to a fund for use for purposes of relief in cases of emergencies declared by the Governor." | 437, 496, 524, 533, 541, 574, 605, 631, 652, 665, 674. |
| 128 | A Bill for an Act entitled: "An Act permitting Nicholas Newby of Bear Creek, Montana, to present a claim to the Industrial Accident Board for the cost of medical and hospital services alleged to have been rendered him for a hernia which developed more than six months after and because of an industrial accident suffered by him in the course of his employment, and authorizing said board to file and consider and act upon the same." | 187, 203, 219, 236, 252, 261, 262, 298, 320, 366, 421, 450, 578. |
| 129 | A Bill for an Act entitled: "An Act appropriating money for the reimbursement and payment of William P. Johnson, for witness fees and mileage as a witness for the State of Montana in the case brought by the State of Montana against Frank Conley." | 187, 203. |
| 130 | A Bill for an Act entitled: "An Act to amend Sections 1135, 1136, 1137, 1139 and 1140 of the Revised Codes of Montana of 1921 relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment, powers and duties of truant officers, the schooling and relief of pauper children, the prosecution of truants parents, guardians and employers for violations of the provisions of said sections and providing penalties therefor." | 187, 211, 237, 267, 293, 294, 316, 327, 328, 656, 692, 693. |
| 131 | A Bill for an Act entitled: "An Act to amend Section 4 of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly as amended by Chapter 39 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana, defining certain dairy products and certain places of business and specifying the contents of | |

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| | butter, renovated butter, cheese, skimmed milk cheese, and various kinds of ice cream, and also defining the words 'person' and 'department'."..... | 187, 318, 358, 372, 474, 516, 533, 538, 574, 591, 592. |
| 132 | A Bill for an Act entitled: "An Act creating a highway patrol for the State of Montana under the control and supervision of the State Highway Commission, providing for its organization, regulation, powers and duties, and providing a fund for the maintenance of such patrol, and providing penalties for the violation of this Act."..... | 187, 222, 253, 293. |
| 133 | A Bill for an Act entitled: "An Act to regulate the payment of wages or compensation of employees in private employment, providing a penalty for the violation thereof and authorizing the Commissioner of Agriculture to enforce the provisions of this Act." | 187, 416, 464, 516, 517, 524, 544, 545, 574, 652, 657. |
| 134 | A Bill for an Act entitled: "An Act to amend Section 3545 of the Revised Codes of Montana of 1921, relating to penalties for violation of the coal mining laws of the State of Montana."..... | 188, 222, 253, 268, 436, 479, 491, 493, 573, 723, 741. |
| 135 | A Bill for an Act entitled: "An Act to regulate the sale of, and to fix standard grades for farm products; to provide for inspection, branding and labeling thereof; defining certain terms; conferring certain powers upon the Commissioner of Agriculture; and fixing certain penalties for the violation thereof, and declaring an emergency." | 188, 242, 287, 339, 340, 361, 367, 453, 516, 525, 548, 574, 605, 631, 652, 708, 715, 717. |
| 136 | A Bill for an Act entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-first Legislative Assembly, and to amend Sections 2210 and 2233 of the Revised Codes of Montana for 1921, relating to notice of application for tax deed; redemption from tax sale; redemption of property sold to county, and repealing all Acts in conflict herewith." | 193, 235. |
| 137 | A Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118 of the Session | |

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| | Laws of the Nineteenth Legislative Assembly of Montana and Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to the date of holding primary elections." | 202, 289, 290, 329, 361, 379, 391, 392. |
| 138 | A Bill for an Act entitled: "An Act requiring the County Assessor to annually value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of 1927." | 202, 437, 490, 521, 522, 548, 549, 574, 630, 631. |
| 139 | A Bill for an Act entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of Montana, 1921, relating to the apportionment of membership of House of Representatives, in accordance with the official census of 1930, creating representative districts and specifying the number of Representatives from each district."..... | 202, 465, 496, 525, 552, 553. |
| 140 | A Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance, and other purposes, as designated herein, for the several state departments, boards, commissions and bureaus of the State of Montana for the period beginning July 1, 1933, and ending June 30, 1935." | 202, 205, 236, 242, 250, 272, 293, 320, 700, 710, 711, 765. |
| 141 | A Bill for an Act entitled: "An Act relating to the willful permitting of livestock to run at large on any state highway, the right of way of which is fenced; removal of such stock; duty of officials; providing for a penalty for violation."..... | 202, 375. |
| 142 | A Bill for an Act entitled: "An Act appropriating money in satisfaction and settlement of the claim of E. E. Glead for injuries sustained by him upon a highway of this state near Lima, Montana, and directing the State Auditor to draw his warrant upon the state highway fund therefor in settlement of said claim upon payment of said warrant." | 202, 272, 309, 339, 340, 364, 370, 572, 580, 597, 599, 600, 621, 665, 674. |
| 143 | A Bill for an Act entitled: "An Act permitting Mrs. Mary Chisholm of Lewis and Clark County, Montana, to file a claim for compensation for | |

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| | alleged industrial accident after expiration of six months from the date of happening of alleged accident." | 207, 237, 267, 293, 294, 308, 314, 366, 422, 572, 603, 608, 626. |
| 144 | A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of banks in this state, prescribing the license and filing fees to be paid thereon, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof."..... | 207, 274. |
| 145 | A Bill for an Act entitled: "An Act relating to traffic regulations; providing for lights or reflectors on all vehicles, machinery and mechanical contrivances upon state highways and for warning signals at the extreme rear end of loads extending three feet or more beyond the rear of body of such vehicles; and providing penalties for the violation of this Act."..... | 216, 253, 293, 399, 424, 439, 446, 447, 484, 588, 604, 645, 646, 660. |
| 146 | A Bill for an Act entitled: "An Act to amend Section 3717 of the Revised Codes of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly, prohibiting the use or possession of explosives or poison for the purpose of killing fish; declaring same a misdemeanor and fixing the penalty therefor." | 216, 268, 309, 339, 340, 364, 371, 372, 376, 394, 424, 439, 444, 484, 500, 575, 579, 603, 611, 626. |
| 147 | A Bill for an Act entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12 of the Constitution of the State of Montana, relating to revenue and taxation, adding thereto a new section, providing for the levy and collection by the state of taxes upon incomes and the distribution of said taxes to the public schools and to the state government." | 216, 452, 490, 516, 523, 527, 528, 574, 581, 592, 604, 645, 660. |
| 148 | A Bill for an Act entitled: "An Act accepting the amendment enacted by Congress to Section Eleven (11) of the Act approved February 22, 1889 (25 Stat. 676), relating to the admission into | |

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| | the Union of the States of North Dakota, South Dakota, Montana and Washington, approved by the President of the United States May 7, 1932." | 217, 254, 287, 339, 340, 364, 369, 462, 573, 579, 628, 638, 642. |
| 149 | A Bill for an Act entitled: "An Act to amend Section 1872 of Chapter 148 of the Revised Codes of Montana of 1921, and to provide for a revision of stumpage prices and the regulations governing the cutting of timber on the state's forests." | 217, 254, 296, 315, 316, 347, 357, 382, 655, 666, 667, 682, 688. |
| 150 | A Bill for an Act entitled: "An Act permitting Charles Magelo of Musselshell County, Montana, to file a claim for compensation for alleged industrial accident injury and disability after expiration of six months from the date of the happening of the alleged accident, injury and disability and permitting notice thereof to be deemed given." | 217, 236, 237, 267, 293, 294, 316, 328, 462, 573, 579, 603, 611, 626. |
| 151 | A Bill for an Act entitled: "An Act to amend Sections 3614 and 3618 Revised Codes of Montana, 1921, relating to nursery stock and fruit inspection and fees collected thereon." | 217, 266, 296, 315, 347, 357, 359, 360. |
| 152 | A Bill for an Act entitled: "An Act to amend Section 10482 Revised Codes of Montana 1921, as amended by Chapter 12 of the Session Laws of 1927 and Section 10483 Revised Codes of Montana 1921 and relating to a mother's pension and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject." | 217, 273, 309, 344, 364, 369, 370, 462, 573, 579, 603, 611, 626. |
| 153 | A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana an amendment of Section 16, Article XII of the Constitution of Montana relating to the assessment of property and the apportionment of taxes from railroads." | 217, 481. |
| 154 | A Bill for an Act entitled: "An Act requiring every person, firm or corporation engaged in the business of printing and publishing a newspaper | |

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| | within this state to pay an annual license; and providing for the distribution of the fund created by such license fees." | 221, 396. |
| 155 | A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments." | 231, 481, 484, 512, 516, 523, 530, 531, 574, 735, 740, 741. |
| 156 | A Bill for an Act entitled: "An Act to amend Section 1035 of the Revised Codes of Montana of 1921 relating to joint school districts, their formation, control and discontinuance." | 231, 267, 309, 339, 340, 364, 370, 482, 483. |
| 157 | A Bill for an Act entitled: "An Act to amend Sections 4531, 4532 and 4533 of Chapter 91 of the Session Laws of Montana 1931, relating to the application of destitute persons seeking relief, the residence of such persons and providing temporary relief to non-residents, and repealing all Acts and parts of Acts in conflict herewith." | 231, 288, 329, 361, 379, 402, 591, 593. |
| 158 | A Bill for an Act entitled: "An Act to amend Section 2110, Montana Revised Codes 1921, providing for disposition of proceeds of taxes collected under the provisions of Chapter 165, Montana Revised Codes 1921." | 231, 241, 272, 305, 306, 395, 424, 439, 442, 443, 484, 634, 668, 692, 693, 727, 728, 732. |
| 159 | A Bill for an Act entitled: "An Act to amend Section 9807 of the Revised Codes of Montana, 1921, relating to security for costs in civil actions." | 231, 289. |
| 160 | A Bill for an Act entitled: "An Act to amend Section 5660 of the Revised Codes of the State of Montana for 1921, relating to the appointment of a commission known as the Veterans' Welfare Commission and fixing salaries, designating the qualifications, compensations and duties of said Commission." | 231, 502. |
| 161 | A Bill for an Act entitled: "An Act to amend Sections 2296, 2297 and 2303, and to repeal Section 2298, Montana Revised Codes of 1921; to provide a license tax upon corporations organ- | |

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| | ized under the laws of the State of Montana, or organized under the laws of any other state and doing business within this state; providing a method of arriving at net income, allowing certain deductions and exempting certain corporations from said tax; to provide for allocation of income to Montana of business done by corporations both within and without the state; to provide for the necessary enforcement and collection of said tax, and penalties for failure to comply herewith, and granting powers to the State Board of Equalization to make rules and regulations relative thereto, and repealing all Acts and parts of Acts in conflict herewith."..... | 231, 429, 484, 495, 517, 518, 573, 668, 692, 701, 709, 710, 731, 733, 740, 744, 753, 762, 763, 767, 768. |
| 162 | A Bill for an Act entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-first Legislative Assembly, relating to notice of application for tax deeds; and repealing all Acts in conflict herewith."..... | 231, 333, 378, 424, 439, 447, 484, 630, 634, 716, 736, 739, 767, 768. |
| 163 | A Bill for an Act entitled: "An Act to amend Section 10470 of the Revised Codes of Montana of 1921 relating to the commitment of children to orphans' home or other disposition of children and permitting said orphans' home to place children in private homes or other institutions and providing for the payment of keeping such children."..... | 231, 241, 272, 305, 306, 427, 479, 480, 491, 573, 630, 632. |
| 164 | A Bill for an Act entitled: "An Act to authorize the transportation of certain dependent children for whom proper homes are offered outside the state, and making an appropriation therefor."..... | 232, 332, 404, 424, 439, 447, 448, 484, 591, 631, 668, 670, 679, 685, 708, 715, 717. |
| 165 | A Bill for an Act entitled: "An Act to amend Sections 3676 and 3679 of the Revised Codes of Montana of 1921 relating to the creating of fish and game preserves, refuges, sanctuaries, rest grounds, closed districts and closed seasons, pre- | |

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| | scribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof." | 232, 330, 424, 439, 446, 484, 500, 575, 578, 594, 639, 646, 662, 729, 732, 738. |
| 166 | A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in retail stores; persons employed in delivering goods sold in such store; persons employed in wholesale warehouses used for supplying retail establishments with goods, and persons employed in delivering goods to retail establishments from such wholesale warehouses; and providing penalties for a violation thereof." | 237, 426, 480, 521, 522, 523, 524, 542, 574, 591, 604, 654, 691, 693, 700, 713, 716, 728, 744, 753, 761, 762, 767, 768. |
| 167 | A Bill for an Act entitled: "An Act to amend Section 2231, Revised Codes of Montana, in relation to assessment and sale of real estate for taxes." | 246, 334, 358, 377, 388, 407, 409, 484, 741, 743, 753. |
| 168 | A Bill for an Act entitled: "An Act to amend Section 831 of the Revised Codes of the State of Montana, 1921, relating to the appointment of members of the Board of Education." | 246, 267, 296, 315, 316, 356, 357, 382, 482, 483. |
| 169 | A Bill for an Act entitled: "An Act to amend Section 4973 of the Revised Codes of Montana of 1921 permitting cities to be reduced in class or to be reduced to towns." | 246, 317, 347. |
| 170 | A Bill for an Act entitled: "An Act to amend Section 4453 of the Revised Codes of Montana, 1921, relating to qualifications of County Commissioners." | 246, 310. |
| 171 | A Bill for an Act entitled: "An Act to amend Chapter 21, Part III of the Political Code of the Revised Codes of the State of Montana, 1921, by adding thereto a new section to be known as Section 309-A providing for consolidation of the office of the State Accountant with the office of the Board of Examiners." | 246. |

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| 172 | A Bill for an Act entitled: "An Act to amend Sections 6376, 6381 and 6387 of the Revised Codes of Montana of 1921, relating to co-operative associations." | 246, 273, 309, 339, 340, 364, 371, 588, 604, 645, 660. |
| 173 | A Bill for an Act entitled: "An Act to permit building and loan associations to issue permanent stock, or stock in series, defining rights and liabilities of permanent stock with respect to other classes of stock, stipulating under what terms and conditions existing corporations may issue permanent stock, and repealing all Acts or parts of Acts in conflict therewith." | 246, 475, 498, 524, 541, 574, 633, 666, 682, 688. |
| 174 | A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly, 1923, as amended by Section 1 of Chapter 79 of the Session Laws of the Twenty-first Legislative Assembly, 1929, and Section 1 of Chapter 67 of the Twenty-second Legislative Assembly, 1931, and Section 2169 of the Revised Codes of Montana of 1921 as amended by Section 2 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly, 1923, relating to the collection of taxes and the time and method of collecting the same, the interest thereon, and providing penalties for the delinquency thereof, and the form of notice of such delinquency to be given." | 247, 275. |
| 175 | A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of 1923, and by Chapter 88 of the Laws of 1927, and as amended by Chapter 182 of the Laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers and dealers in motor vehicles or automobile accessories, the distribution of the revenue received from motor registration fees; specifying the purposes for which the same may be expended, providing for the disbursement thereof, providing penalties for the violation thereof and repealing all Acts or parts of Acts in conflict herewith." | 247, 316, 317, 358, 377. |
| 176 | A Bill for an Act entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana | |

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| | of 1927 relating to gasoline exemption from payment of the gasoline tax." | 247, 266, 268, 290, 329, 361, 367, 403, 426, 431, 484, 605, 606. |
| 177 | A Bill for an Act entitled: "An Act relating to the valuation of railroad and public utility properties for taxation purposes and providing that the value of the property of railroads and public utilities for taxation purposes shall not be less than the valuation submitted to the Public Service Commission or the Board of Railroad Commissioners for rate making purposes." | 247, 477, 478, 490, 513, 514. |
| 178 | A Bill for an Act entitled: "An Act permitting J. E. Dodson, of Flathead County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident." | 260, 420, 450, 479, 491, 492, 573, 581, 592, 604, 645, 646, 660. |
| 179 | A Bill for an Act entitled: "An Act providing for the payment of filing fees by candidates for Mayor and Councilmen in cities operating under the commission form of government." | 260, 317, 358, 377, 407, 410, 483, 575, 579, 603, 611, 626. |
| 180 | A Bill for an Act entitled: "An Act to repeal Section 4549 of the Revised Codes of Montana of 1921 and to provide for the care and use and disposition of county fair property." | 260, 416. |
| 181 | A Bill for an Act entitled: "An Act authorizing the establishment of liens on monuments and markers; providing for the enforcement of the same and the duties of officers of cemeteries and burial grounds in relation thereto." | 268, 392, 426, 448, 478, 498, 507, 508, 573, 634, 666, 668. |
| 182 | A Bill for an Act entitled: "An Act to amend Section 2839 of the Revised Codes of Montana of 1921, authorizing injured workman, who has elected to come under the terms of the Workmen's Compensation Act, to bring action against persons or corporations other than his employer or fellow servant for any damages sustained by such employee where his injuries are caused by | |

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| | the act or omission of such person or corporation, where the cause of such injury is not directly connected with his employment." | 269, 470, 498, 524, 547, 574, 591, 604, 614, 626, 640, 641, 665, 674. |
| 183 | A Bill for an Act entitled: "An Act to repeal Sections 1928, 1930, and 1932 of the Revised Codes of Montana of 1921 as amended by Chapter 6 of the Laws of the State of Montana of 1923; and Sections 1929, 1931, 1933, 1934, 1935, 1936, 1940, 1941, 1943, 1944, 1945, 1946, 1947 and 1948 of the Revised Codes of Montana of 1921, all of the said sections relating to the investment of the common school permanent fund and other permanent funds of the State of Montana, including the investment of such funds in farm mortgage loans." | 269, 310, 358, 367, 450. |
| Sub. 183 | A Bill for an Act entitled: "An Act to repeal Sections 1928, 1930 and 1932 of the Revised Codes of Montana of 1921 as amended by Chapter 6 of the Laws of the State of Montana of 1923; and Sections 1929, 1931, 1933, 1934, 1935, 1936, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947 and 1948 of the Revised Codes of Montana of 1921, all of the said sections relating to the investment of the common school permanent fund and other permanent funds of the State of Montana, including the investment of such funds in farm mortgage loans." | 450, 496, 525, 543, 574, 589, 604, 628, 638, 642. |
| 184 | A Bill for an Act entitled: "An Act to provide for the codification of the Revised Codes of Montana of 1935; authorizing the appointment of a Code Commissioner, specifying his powers and duties, fixing his compensation and making a supplemental appropriation of money for said report." | 269, 288, 417, 431, 457, 464, 516, 533, 538, 574, 634, 668, 669, 679, 684, 727, 728, 732. |
| 185 | A Bill for an Act entitled: "An Act to submit to the electors of the State of Montana the question whether there shall be a convention to revise, alter or amend the Constitution of the State of Montana." | 269, 471, 498, 526, 545, 570, 574, 578. |

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| 186 | A Bill for an Act entitled: "An Act to permit County Commissioners in counties receiving aid from the Reconstruction Finance Corporation or other similar agencies to appropriate funds from the general funds of said counties for the employment of help and payment of expenses in the administration of such relief." | 269, 310, 358, 377, 407, 410, 411, 605, 631, 652, 661, 677, 678, 708, 715, 717. |
| 187 | A Bill for an Act entitled: "An Act to amend Chapter Twenty-one (21), enacted by the Twenty-second Legislative Assembly of the State of Montana entitled: 'An Act providing for a basis of imposition of taxes on agricultural products in storage or held on the farm, and amending all Acts and parts of Acts in conflict herewith, and to include livestock on feed within the terms thereof'." | 282, 397, 408, 435, 472, 476, 487, 488, 498, 507, 573, 692, 710, 714, 743, 754, 755. |
| 188 | A Bill for an Act entitled: "An Act repealing Chapter 44 of the Session Laws of the State of Montana of 1929, relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for migratory wild fowl." | 282, 331, 404, 424, 439, 442, 484, 500, 575, 580, 603, 608, 626. |
| 189 | A Bill for an Act entitled: "An Act to prohibit the foreclosure of all real estate mortgages in the State of Montana for a period of two years from the passage and approval of this Act extending the statute of limitations heretofore provided for the suits on real estate notes and foreclosure of mortgages securing said notes." | 282, 428, 479. |
| Sub. 189 | A Bill for an Act entitled: "An Act granting to the District Courts of the State of Montana in actions for foreclosure of real estate mortgages the right to direct when sale shall be had permitting postponement thereof for not exceeding two years and specifying the terms and conditions thereof, and repealing all Acts and parts of Acts in conflict herewith." | 428, 479, 516, 517, 533, 540, 574, 603, 605. |

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| 190 | A Bill for an Act entitled: "An Act to amend Section 187 of the Revised Codes of Montana, 1921, relating to quarterly reports by the State Treasurer to the Governor." | 282, 470, 498, 526, 547, 548, 574, 740. |
| 191 | A Bill for an Act entitled: "An Act to repeal Chapter 104 of the Session Laws of the Twenty-second Legislative Assembly of Montana and to revive any statute repealed by said chapter, being an Act providing for the licensing of persons, firms or corporations selling or vending drugs, or medicines and remedies as provided under the authority of Chapter 227 of the Revised Codes of Montana of 1921; providing for the issuance of such license, and fees therefor and penalties for the violation of the provisions of this Act." | 282, 439, 440, 490, 523. |
| 192 | A Bill for an Act entitled: "An Act requiring all persons, co-partnerships, corporations, firms, associations and others engaging in or carrying on for hire within the State of Montana the business of operating line shafts, head gears and drop hangers for operating sheep shearing machines or clippers, which said line shafts, head gears and drop hangers are brought into the state for temporary use therein, to pay to the State Treasurer of the State of Montana license tax for engaging in or carrying on such business, fixing the amount of such license tax, and providing penalties for the violation of this Act." | 282, 334, 344, 397. |
| 193 | A Bill for an Act entitled: "An Act to appropriate \$703.39 to Deloraine Oil Syndicate, Limited, Deloraine, Man. Canada, in settlement of overpaid taxes, penalty and interest." | 283, 309. |
| 194 | A Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about sugar refineries, and providing penalties for a violation thereof." | 283, 330, 404, 424, 439, 441, 442, 484, 501, 589, 592, 613, 626, 642, 643, 661, 676, 682, 683, 688. |
| 195 | A Bill for an Act entitled: "An Act to exempt homesteads from taxation." | 283, 397. |
| 196 | A Bill for an Act entitled: "An Act amending Section 1 of Chapter 104 of the Laws of the Twenty-first Legislative Assembly of the State of Montana relating to the practicing or teaching of cosmetology." | 283, 296, 329, 361, 379, 390, 462, 572, 573. |

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| 197 | A Bill for an Act entitled: "An Act creating the Cherry Creek Game Preserve in Sanders and Mineral Counties and defining the boundaries thereof." | 283, 433, 434, 479, 521, 522, 533, 537, 574, 589, 592, 614, 626, 641, 665, 674. |
| 198 | A Bill for an Act entitled: "An Act to amend Section 10307 of the Revised Codes of the State of Montana, 1921, relating to the order in which debts are to be paid against estates of deceased persons." | 283, 288, 329, 361, 379, 389, 634, 666, 668, 682, 688. |
| 199 | A Bill for an Act entitled: "An Act permitting Justices of the Peace in certain cases to hold court outside their respective townships and amending Sections 8834 and 8835, Revised Codes of Montana, 1921." | 283, 288, 329, 361, 379, 389, 390, 634, 666, 668, 682, 688. |
| 200 | A Bill for an Act entitled: "An Act authorizing City and Town Councils owning and operating municipal water works to transfer by resolution surplus revenue earned by said municipal water works to the general funds for municipal purposes after providing for all costs of operation, debts, interest and depreciation, and repealing all Acts and parts of Acts in conflict herewith." | 283, 318, 358, 377, 407, 409, 410, 482, 483. |
| 201 | A Bill for an Act entitled: "An Act permitting Evan K. Heatherly of Cascade County, Montana, to file a claim for compensation for alleged industrial accident injury and disability after expiration of six months from the date of the happening of the alleged accident, injury or disability." | 283, 420, 450, 479, 498, 506, 573, 604, 628, 638, 642. |
| 202 | A Bill for an Act entitled: "An Act relating to the regulation of dogs; to make it unlawful to knowingly own, harbor or keep any unlicensed dog or any dog which kills, wounds or injures livestock; and to provide a penalty for violation thereof." | 283, 408, 477, 498, 539, 553, 574, 591, 604, 645, 646, 660. |
| 203 | A Bill for an Act entitled: "An Act providing for the payment of compensation for the use of the public highways of the State of Montana by | |

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| | Class "A" motor carriers, Class "B" motor carriers and Class "C" motor carriers and by private motor carriers of property."..... | 283, 405, 435, 457, 478, 495, 496, 515, 533, 537, 538, 573, 657, 658, 691, 710, 723, 733, 736, 745, 758, 761. |
| 204 | A Bill for an Act entitled: "An Act requiring every 'private motor carrier of property' as defined herein to obtain a permit to operate upon any public highway of the State of Montana from the Board of Railroad Commissioners of the State of Montana; providing for the procedure to obtain such a permit and the terms thereof, fee therefor and penalties for the violation hereof."..... | 283, 405, 406, 435, 457, 478, 495, 496, 515, 523, 529, 573, 656, 691, 710, 713, 725. |
| 205 | A Bill for an Act entitled: "An Act providing for the regulation by the Board of Railroad Commissioners of the State of Montana of the operation and rates of Class 'C' motor carriers, as defined by Chapter 184 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana." | 284, 406, 426, 448, 457, 478, 495, 496, 515, 523, 528, 529, 573, 611, 651, 655. |
| 206 | A Bill for an Act entitled: "An Act relating to the age of drivers of motor vehicles operating for profit and providing the number of hours that the operator of such vehicle may remain on duty in any twenty-four hour period, and penalty for violation hereof." | 284, 406, 426, 448, 457, 478, 495, 406, 515, 523, 531, 532, 573, 655, 691, 710, 722, 725. |
| 207 | A Bill for an Act entitled: "An Act to amend Sections 17, 23, and 25 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the leasing of state lands, determination of rental value for agricultural and grazing purposes, and town, city, and other lots." | 284, 425, 464, 487, 496, 503, 573, 581, 592, 604, 628, 638, 642. |

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| 208 | A Bill for an Act entitled: "An Act to amend Section 2435 of the Revised Codes of Montana of 1921 relating to licenses on certain businesses including the sale of cigarettes."..... | 291, 451, 490, 524, 543, 574, 668, 692, 694, 696, 701, 720, 721, 722, 733, 767, 768. |
| 209 | A Bill for an Act entitled: "An Act providing for a lien for services in the care or herding of sheep and providing for an attorney fee in an action to enforce said lien."..... | 291, 393. |
| 210 | A Bill for an Act entitled: "An Act to amend Sections 3891, 3895, 3896, 3897, 3899 and 3906 of the Revised Codes of the State of Montana, of 1921, and to enact Sections 3906A and 3906B as additional sections of Chapter 260, Part III of the Political Code of the Revised Codes of Montana of 1921, relating to the filing of schedules of rates, the inquiry into and investigation of management of public utilities, making unnecessary the permanent employment of an engineer, alteration of rates and hearing thereon, fixing of rates, keeping of records, review of decisions, and assessment of costs." | 291, 432, 490, 521, 522, 548, 574, 668, 691, 692. |
| 211 | A Bill for an Act entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Missoula and all cities and towns therein into one municipal corporation and government under the corporate name 'City and County of Missoula,' giving it county status, defining the powers thereof and provide a Commission-Mayor plan and form of government therefor and for the submission of the question of the adoption of this Act to the qualified electors of Missoula county." | 294, 455, 456. |
| 212 | A Bill for an Act entitled: "An Act to regulate and govern the sanitary conditions under which wall paper, kalsomine or other substitute wall covering shall be placed on the walls or ceilings or rooms or halls in hotels, rooming houses or other houses or structures owned or maintained for rental purposes, and to regulate and govern the number of coats of kalsomine, wall paper or other substitute wall covering excepting oil paints that may be affixed and to make a violation of any of the provisions of this Act a misdemeanor, and to repeal Section 2499 of the Revised Codes of Montana of 1921." | 302, 381. |

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| 213 | A Bill for an Act entitled: "An Act to prohibit the foreclosure of all real estate mortgages and/or contracts in the State of Montana for a period of two years from the passage and approval of this Act and extending the statute of limitations heretofore provided for the suits on real estate notes and/or contracts and foreclosure of mortgages securing said notes and/or contracts."..... | 302, 427. |
| 214 | A Bill for an Act entitled: "An Act to amend Sections 295, 297, 298 and 299 Revised Codes of Montana, 1921, the same being 'An Act to provide a budget system for the control of all expenditures of state money'."..... | 302, 330, 372, 424, 439, 447, 484, 572, 580, 592, 603, 608, 626. |
| 215 | A Bill for an Act entitled: "An Act to amend Section 30 of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly of Montana of 1929 as amended by Chapter 39 of the Session Laws of the Twenty-second Legislative Assembly of Montana for 1931, relating to standard butter measure." | 303, 318, 358, 377, 407, 408, 409, 482, 575, 580, 603, 626. |
| 216 | A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 182 of the Session Laws of the Twenty-second Legislative Assembly of Montana for 1931 relating to deceit in weight, grade, measure or test in sale of milk or cream; and providing a penalty for violation."..... | 303, 318, 358, 377, 473, 474. |
| Sub. 216 | A Bill for an Act entitled: "An Act to amend Chapter 182 of the Session Laws of the Twenty-second Legislative Assembly of Montana for 1931 relating to deceit in weight, grade, measure or test in sale of milk or cream; and providing a penalty for violation." | 474, 498, 524, 551, 552, 573, 591, 604, 645, 646, 660. |
| 217 | A Bill for an Act entitled: "An Act abandoning, abolishing and terminating the organization and political and corporate existence of the counties of Beaverhead, Blaine, Broadwater, Carter, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Toole, Treasure, Valley, Wheatland, and Wibaux, | |

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| | and abandoning, abolishing and terminating the terms of office of all legislative, county and township officers therein; providing for the payment of the debts and the disposition of the property and assets of the counties so abandoned, abolished and terminated; creating the new counties of Blaine, Custer, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Jefferson, Madison, Meagher, Missoula, Rosebud, Sheridan, Sweet Grass, Toole and Valley counties, and providing for the organization thereof, designating the officers thereof, the judicial districts to which the same shall be attached, and providing for their representation in the Legislative Assembly of the State of Montana."..... | 303, 381. |
| 218 | A Bill for an Act entitled: "An Act providing for the appointment and removal of a herd district pound master, and for the impounding by him of livestock running at large in any herd district, and prescribing the amount of the fees to be collected by said pound master for livestock so impounded, and for the payment to him of necessary charges and costs of keeping and selling said livestock, and providing for the sale of said livestock upon the failure of the owner, owners or persons entitled to the possession thereof, to claim the same and to pay the fees, charges and costs and fixing the compensation of such pound master." | 303, 417, 426, 525, 539. |
| 219 | A Bill for an Act entitled: "An Act to amend Section 8157 of the Revised Codes of the State of Montana, 1921, relating to measure of indemnity in case of loss by fire."..... | 303, 340. |
| 220 | A Bill for an Act entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act."..... | 303, 478, 498, 524, 543, 544, 574, 710, 711, 712, 716, 725, 727, 743, 754, 755. |
| 221 | A Bill for an Act entitled: "An Act to amend Section 10651 of the Revised Codes of Montana of 1921, relating to depositions; providing for the physical examination of a party to an action when material; prescribing the terms and method of such examination." | 303, 465, 498, 526, 542, 543, 574, 605, 631, 652, 665, 674. |

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| 222 | A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 19 of the Session Laws of 1927, Section 2 of Chapter 19 of the Session Laws of 1927, as amended by Chapter 92 of the Session Laws of 1929 and Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaged in or carrying on the business of selling, handling or using gasoline to pay to the State Board of Equalization certain license taxes for engaging in and carrying on such business in this state, defining terms, fixing the amount of such license taxes and providing the method for the assessment and collection thereof; also to repeal Sections 2381, 2382, and 2383 of the Revised Codes of Montana, 1921." | 303, 373, 404, 424, 449, 452, 464, 499, 572, 580, 592, 628, 638, 642. |
| 223 | A Bill for an Act entitled: "An Act to amend Sections 9664 and 9680, Revised Codes of Montana 1921, relating to judgments by default and judgments (other than default) in Justice Courts." | 304, 331, 372, 424, 439, 445, 446, 630, 634. |
| 224 | A Bill for an Act entitled: "An Act amending Chapter 260 Revised Codes of 1921, by adding thereto a section numbered 3883A, fixing the maximum rates for telephone exchange service; making the charging of a greater rate unlawful, and providing penalties for the violation thereof." | 304, 420. |
| 225 | A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 108 of the Session Laws of the State of Montana of 1927, as amended by Chapter 193 of the Session Laws of the State of Montana of 1931 and also to amend Sections 6, 15 and 20 of said Chapter 108, all of said four sections relating to the leasing of state lands for oil and gas development." | 312, 451, 513, 515, 521, 522, 541, 542, 574, 655, 667, 682, 683, 689. |
| 226 | A Bill for an Act entitled: "An Act providing for certain notices to be given by County Commissioners in event of sale by county of real estate which the county had theretofore acquired by tax deed, and providing for right of redemption by last owners, judgment debtors, mortgagees, or assignees, of record." | 312, 392, 426, 478, 498, 517, 518, 573, 606, 631, 691, 692. |

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| 227 | A Bill for an Act entitled: "An Act to amend Section 20 of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana relating to location and construction of creameries and cheese factories and ice cream factories." | 312, 474. |
| 228 | A Bill for an Act entitled: "An Act to amend Section 7729 of the Revised Codes of the State of Montana of 1921 relating to the rate of interest on judgments and fixing the same at six per cent instead of eight per cent." | 312, 331, 358, 377, 407, 409, 656, 668, 682, 683, 688, 689. |
| 229 | A Bill for an Act entitled: "An Act to amend Section 7725 of the Revised Codes of the State of Montana of 1921 relating to the statutory rate of interest and fixing the same, when not otherwise provided by contract, at six per cent, instead of eight per cent." | 312, 331, 404, 424, 449, 452, 463, 499, 656, 668, 689, 708, 715, 717. |
| 230 | A Bill for an Act entitled: "An Act authorizing and directing the State Board of Examiners to insure public buildings and the contents thereof owned by the State of Montana; providing for the gradual decrease of such insurance and for the gradual accumulation of a state fire insurance fund; providing for the investment, administration, and maintenance of such fund, and the restoration of state buildings and the contents thereof damaged or destroyed by fire from such state insurance fund." | 312, 414, 450, 478, 479, 495, 496. |
| 231 | A Bill for an Act entitled: "An Act authorizing actions to quiet title to personal property; providing for the procedure in such actions and the effect of decrees therein." | 312, 360, 392, 424, 439, 443, 484, 630, 634. |
| 232 | A Bill for an Act entitled: "An Act amending Section 9108 of the Revised Codes of Montana 1921, relating to the manner and time of issuing alias summons." | 312, 375. |
| 233 | A Bill for an Act entitled: "An Act prohibiting the sale or exchange in the open market of goods, wares and merchandise produced, manufactured or mined by convicts or prisoners under sentence in the state, or, in or by any penal or reformatory institution of the state, or produced, manufactured or mined by convicts or prisoners out- | |

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| | side the state or in or by any penal or reformatory institution of the United States or any state or foreign country and transported to this state for use or consumption therein; providing for the sale or exchange of goods, wares and merchandise made in or by any penal or reformatory institution of the state to or with any other penal or reformatory institution or any charitable or custodial institution, the major portion of whose maintenance is contributed by the state or some political subdivisions thereof; authorizing the Board of State Prison Commissioners to make rules to govern the conduct of industries in the penal and reformatory institutions of the state, to facilitate the sale and exchange of such goods, wares and merchandise and to require the setting up in the penal and reformatory institutions of the state of a cost-accounting system in connection with the manufacture or production of goods, wares and merchandise therein; and fixing penalties for a violation of the provisions thereof." | 313, 415, 416, 450, 479, 498, 506, 573, 591, 604, 655, 692, 695, 702, 715, 765. |
| 234 | A Bill for an Act entitled: "An Act amending Section 1175, Revised Codes of Montana, 1921, providing for the light and ventilation of school buildings; regulating the approval of plans therefor by the State Board of Health, and providing a penalty for the violation of the provisions of this Act." | 316, 433, 490, 525, 546, 574, 633, 666, 671, 679, 685, 686, 727, 728, 732. |
| 235 | A Bill for an Act entitled: "An Act providing for the number of days in the month in which County Commissioners in certain counties shall be permitted to meet or be in session." | 325, 439. |
| 236 | A Bill for an Act entitled: "An Act defining 'accommodation smelters' and 'custom smelters'; providing an emergency exists making 'custom smelters' a public convenience and necessity thereby making 'custom smelters' a public utility; defining the duties of the Public Service Commission of Montana relative to 'custom smelters'; providing for the appointment and duties of an 'umpire'; fixing reasonable rules and regulations for the weighing and sampling and adjusting disputed claim on ore shipments to 'custom smelters' and providing a fee from ore to be smelted for carrying out the provisions of this Act and creating a special fund from such receipts to be known as a 'smelter umpire fund'." | 325, 438. |

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| 237 | A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of 1923, and by Chapter 88 of the Laws of 1927, and as amended by Chapter 182 of the Laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers, and dealers in motor vehicles or automobile accessories and the distribution of the revenue received from motor registration fees." | 325, 418. |
| Sub. 237 | A Bill for an Act entitled: "An Act to amend Section 1760 Revised Codes of Montana, 1921, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1927, Chapter 182 Session Laws 1929, Montana, to amend Section 4 of Chapter 158 Session Laws 1931 and to repeal Section 3 of Chapter 158 Session Laws of 1931, all relating to the registration and registration fees of motor vehicles and dealers of motor vehicles and the distribution of the revenues received from motor registration fees." | 418, 450, 472, 496, 503, 573, 578, 581, 587, 632, 655, 667, 692, 695, 716, 721, 729, 742, 767, 768. |
| 238 | A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaged in or carrying on the business of constructing, maintaining and operating telephone lines and telephone instruments within the State of Montana to pay license taxes and providing penalties." | 325, 456, 496, 513, 517, 526, 527, 573, 736, 739, 754, 755, 767. |
| 239 | A Bill for an Act entitled: "An Act to amend Section 2473 of the Revised Codes of Montana of 1921, relating to the establishing of County Boards of Health and appointment, qualifications and compensation of County Physicians." | 325, 458, 496, 523. |
| 240 | A Bill for an Act entitled: "An Act to amend Sections 1, 3, and 6, of Chapter 153 of the Laws of Montana of 1931, relating to the regulation and licensing the sale of commercial fertilizer, and providing for the inspection of fertilizer materials, and fixing penalties for the violation of the Act." | 325, 413, 414, 450, 479, 491, 492, 573, 591, 604, 645, 646, 660. |

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| 241 | A Bill for an Act entitled: "An Act authorizing and empowering cities, who by ordinance provide for the collection of taxes and assessments, to collect delinquent city taxes and assessments and repealing all Acts and parts of Acts in conflict herewith." | 325, 425, 450, 472, 480, 485, 486, 573, 605, 631, 652, 665, 674. |
| 242 | A Bill for an Act entitled: "An Act providing a method by which refund or drawback may be obtained of license taxes paid on gasoline used and consumed by cities and incorporated towns and prescribing the procedure for obtaining refund or drawback." | 326, 418. |
| 243 | A Bill for an Act entitled: "An Act appropriating money to pay a judgment of the Supreme Court of Montana in the sum of five thousand three hundred and twenty-seven dollars and five cents rendered on February 8, 1933, against the Montana State Board of Equalization and the state." | 326, 497. |
| 244 | A Bill for an Act entitled: "An Act to authorize Boards of County Commissioners in this state to purchase, acquire, establish and maintain gasoline tanks and stations; to purchase gasoline, oil, and lubricants for the use of their several counties and to purchase and sell at retail to the public generally gasoline, oil and lubricants." | 326, 394, 426, 476. |
| 245 | A Bill for an Act entitled: "An Act to amend Section 145 of the Revised Codes of Montana of 1921, relating to fees of Secretary of State." | 326, 470. |
| 246 | A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana for 1921, relating to the rate of interest allowed by agreement." | 326, 381, 382, 413, 448, 472, 480, 486, 573, 603, 605. |
| 247 | A Bill for an Act entitled: "An Act to repeal Section 2 of Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to license fees of manufacturers, dealers, distributors, purveyors and sellers of gasoline, kerosene, distillate, lubricating oil or grease, road oil, fuel oil, and oil and grease for boilers." | 326. |

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| 248 | A Bill for an Act entitled: "An Act to amend Section 520 of the Revised Codes of Montana, 1921, relating to publication of reports of state officers." | 326, 333, 358, 376, 424, 439, 443, 484, 591, 604, 631, 652, 661, 677, 708, 715, 717. |
| 249 | A Bill for an Act entitled: "An Act to amend Section 6112 of the Revised Codes of Montana, 1921, regarding the license fees to be paid by insurance corporations, associations and societies." | 326, 396. |
| 250 | A Bill for an Act entitled: "An Act to amend Sections 2 and 6, Chapter 171, Laws of the Twenty-second Legislative Assembly of Montana of 1931, relating to the size of vehicles and loads that may be driven and moved on the public highways; and to permits to operate or move vehicles on the public highways of sizes or weights exceeding the maximum specified in the said chapter." | 326, 332, 372, 424, 439, 445, 484, 588, 592, 614, 626, 641, 665, 674. |
| 251 | A Bill for an Act entitled: "An Act to amend Section 933 of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction, and repealing all Acts and parts of Acts in conflict herewith." | 326, 433. |
| 252 | A Bill for an Act entitled: "An Act to amend Section 9, of Title II, Chapter 148 of the Twenty-second Legislative Assembly, 1931, relating to compensation of Secretaries of Board of Trustees of county high schools." | 326, 333, 358, 424, 439, 443, 444, 484, 591, 604, 645, 646, 660. |
| 253 | A Bill for an Act entitled: "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927 as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in state lands, it being the purpose of this amendment to restore the said Section 65 to its original form." | 327, 454, 496, 524, 545, 546, 574, 691, 692. |
| 254 | A Bill for an Act entitled: "An Act to amend Sections 8904 and 8906 Revised Codes of Montana 1921, providing the manner of drawing trial jurors in the District Court." | 327, 380, 413, 449, 452, 463, 499, 631, 666, 668, 682, 688. |

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| 255 | A Bill for an Act entitled: "An Act abolishing the office of safety appliance inspector and repealing Section 3787 of the Revised Codes of Montana for 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly relating to the salary of safety appliance inspectors." | 327, 467. |
| 256 | A Bill for an Act entitled: "An Act to amend Section 10481 of the Revised Codes of Montana, 1921; Section 10482 of the Revised Codes of Montana, 1921, as amended by Chapter 12 of the Session Laws of the Twentieth Legislative Assembly; Section 10483 of the Revised Codes of Montana, 1921; and to repeal Section 10487 of the Revised Codes of Montana, 1921; all relating to mothers' pensions." | 327, 437. |
| 257 | A Bill for an Act entitled: "An Act making it unlawful for any banking corporation on and after the 2nd day of January, 1934, to receive or accept deposits on any day, if at the opening of business on that day it has deposits in excess of five dollars (\$5.00) for each dollar of paid-in capital, or paid-in capital and surplus, if there be a surplus, and providing penalties for a violation thereof." | 335, 438, 490, 526. |
| 258 | A Bill for an Act entitled: "An Act to amend Section 1024 of the Revised Codes of Montana of 1921 as amended by Chapter 138 of the Twentieth Legislative Assembly of Montana relating to the manner of creating new school districts, providing the number of census children and the assessed valuation of the district and the number of census children and the assessed valuation of property remaining in the old district and repealing Section 1024 of the Revised Codes of Montana of 1921." | 335, 413, 435, 478 498, 508, 573, 656 667, 679, 680, 687 689, 730, 732, 738 |
| 259 | A Bill for an Act entitled: "An Act defining the navigable public waters of the state and authorizing anglers to go along such waters for the purpose of fishing therein." | 335, 394, 426, 448 477, 495, 517, 519 573, 656, 666, 668 682, 683, 688. |
| 260 | A Bill for an Act entitled: "An Act prohibiting the transporting or shipping of game by aeroplane and providing penalties for the violation of this Act." | 335, 394, 426, 478 491, 493, 494, 573 603, 605. |

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| 261 | A Bill for an Act entitled: "An Act to amend Code Section 5239 relating to sewer systems in cities and towns and the collection of revenue to defray the cost and maintenance thereof and providing for a system of sewer rentals." | 335, 440, 479, 480, 521, 522, 533, 535, 536, 574, 631, 666, 669, 679, 685, 727, 728, 732. |
| 262 | A Bill for an Act entitled: "An Act creating a commission to study the laws of Montana relating to the custody, care, protection and supervision of minors in the State of Montana; such commission to make reports to the Twenty-fourth Legislative Assembly; to propose bills for amendment or codification of such laws; providing for the organization and conduct of the work of such commission, appropriating moneys for the carrying on of such work and prescribing the methods of expenditure of such appropriation." | 335, 376, 439, 468, 496, 539, 553, 573, 630, 632. |
| 263 | A Bill for an Act entitled: "An Act to amend Section 6198 of the Revised Codes of the State of Montana, 1921, and to authorize and empower mutual rural insurance companies to insure rural school houses and buildings used in connection therewith, community houses, churches and other public places owned by rural communities, and to amend its by-laws so as to authorize such insurance." | 335, 379, 388, 425, 450, 479, 491, 521, 522, 544, 574, 710, 711, 716, 727, 744, 754, 755. |
| 264 | A Bill for an Act entitled: "An Act amending Section 1187 of the Revised Codes of Montana, 1921, relating to appointment of a State Text-book Commission, and providing for a board of commissioners from among the membership of the State Board of Education to constitute the State Text-book Commission." | 336, 457. |
| ub. 264 | A Bill for an Act entitled: "An Act to amend Sections 1187, 1188, 1195 and 1196 of Chapter 96 of the Revised Codes of Montana, 1921, relating to the appointment of a State Text-book Commission, the organization of said Commission, providing for the continued use of replaced books, providing penalty for using other than selected books." | 457, 496, 526, 552, 573, 654, 668, 679, 680, 686, 690, 727, 728, 732. |

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| 265 | A Bill for an Act entitled: "An Act defining 'malt products' and imposing certain license fees and taxes on the sale of 'malt products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of 'malt products' by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith." | 336, 455. |
| 266 | A Bill for an Act entitled: "An Act to amend Section 5397 of the Revised Codes of Montana of 1921 relating to petitioning for the abandonment of the commission form of government in cities by decreasing the percentage of voters required to petition for abandonment and providing that the last mayoralty election shall be the basis of determining the number of electors for the purpose of the petition." | 336, 412, 435, 478 484, 491, 539. |
| 267 | A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, and Section 3 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 141 of the Twentieth Legislative Assembly of 1927, relating to tax on direct and collateral inheritances, bequests and devises, and to provide for its assessment and collection." | 336, 451, 480, 490 517, 519, 520, 570 655, 666, 667, 680 714. |
| 268 | A Bill for an Act entitled: "An Act amending Chapter 25 of Part V of the Revised Codes of Montana, 1921, by the addition thereto of one new section to be known as Section 7683 (a) providing for attorney's fees in actions by the owner, keeper or proprietor of an inn, or hotel, restaurant, cafe, eating place, lunch counter, apartment, rooming, lodging, or boarding house, or hospital, against any person, guest, boarder or lodger for food, meal or meals, lodging, entertainment or accommodations furnished; prescribing the minimum fee to be allowed by the Justice Court and by the District Court; and when the attorney's fee attaches, amending Section 7684 of the Revised Codes of Montana, 1921, relating to defrauding the owner, keeper or proprietor of an inn, or hotel, restaurant, cafe, eating place, lunch | |

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| | counter, apartment, room, lodging, or boarding house, or hospital, and fixing the penalty therefor." | 336, 388, 414. |
| 269 | A Bill for an Act entitled: "An Act to amend Chapter 100 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana of 1929, relating to tax deeds, providing the method and procedure to be followed in applying for the tax deed and for the issuance thereof by the County Treasurer; the redemption of said lands from the tax sale; the form of deed to be issued and the title conveyed thereby." | 336, 395, 416, 417, 450, 478, 498, 508, 573, 605, 631, 652, 682, 688. |
| 270 | A Bill for an Act entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894, and 8895 of the Revised Codes of Montana of 1921 defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith." | 336. |
| 271 | A Bill for an Act entitled: "An Act providing for consolidation of school districts; providing for transportation, providing for officers and providing certain districts shall not receive aid from the county or state equalization fund." | 336, 411, 412. |
| ub. 271 | A Bill for an Act entitled: "An Act providing for consolidation of school districts; providing for transportation; providing for officers and providing certain districts shall not receive aid from the county or state equalization fund." | 412, 435, 478, 495, 496, 517, 519, 573, 711, 713. |
| 272 | A Bill for an Act entitled: "An Act defining 'cosmetics and kindred products'; and imposing certain license fees and taxes on the sale of 'cosmetics and kindred products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of 'cosmetics and kindred products' by any person, firm, association, joint stock company, syndicate or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith." | 337, 439. |

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| 273 | A Bill for an Act entitled: "An Act to repeal Section 2435, Montana Revised Codes of 1921, providing for a license tax for the privilege of selling cigarettes." | 337, 450, 451. |
| 274 | A Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of taxicabs, motor busses, and motor trucks in the State of Montana; defining the term 'attendant' and fixing penalties for the violation of the provisions of this Act." | 337, 392, 426, 449, 472, 480, 485, 573, 591, 592. |
| 275 | A Bill for an Act entitled: "An Act relating to property rights in domesticated fur-bearing animals, providing for brands upon same; recording such brands and prescribing fees therefor." | 337, 440, 479, 521, 522, 533, 537, 574, 589, 604, 645, 646, 660. |
| 276 | A Bill for an Act entitled: "An Act providing for the supervision, regulation and control of the use of the public highways of the State of Montana by motor carriers engaged in the transportation by motor vehicles of persons and property for hire upon the public highways of the State of Montana; conferring certain jurisdiction over such transportation, motor vehicles and their operation upon the Board of Railroad Commissioners; providing for the enforcement of this Act and the punishment for violation thereof; and repealing Chapter 184, Laws of the Twenty-second Legislative Assembly, 1931." | 337. |
| 277 | A Bill for an Act entitled: "An Act to amend Section 75 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the sale of state lands and prescribing the minimum prices at which such lands may be sold." | 337, 425, 450, 479, 498, 504, 573, 655, 666, 667, 682, 683, 688. |
| 278 | A Bill for an Act entitled: "An Act providing for a budget system for making and controlling estimates, expenditures and tax levies for district high school and county high school purposes; prescribing the powers and duties of Boards of School District Trustees and Boards of Trustees of county high schools, Boards of School Budget Supervisors and county boards and officers in connection with the making of such budgets and such estimates, expenditures and tax levies, providing penalties for violations of the provisions of this Act and repealing Sections 86, 87, 88, 89, | |

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| | 90, 91, 92, 93 and 94 of Chapter 148 Acts of the Twenty-second Legislative Assembly of the State of Montana." | 337, 466, 498, 525, 554, 555, 574, 633, 666, 670, 679, 693, 700, 708, 767, 768. |
| 279 | A Bill for an Act entitled: "An Act to amend Section 9365 of the Revised Codes of Montana, 1921, relating to when and how trial by jury may be waived." | 337, 374. |
| 280 | A Bill for an Act entitled: "An Act to amend Section 1190 of the Revised Codes of Montana of 1921 as amended by Chapter 25 of the Session Laws of the Nineteenth Legislative Assembly of Montana, relating to contracts for supplying textbooks." | 337, 457. |
| 281 | A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of the State of Montana as amended by Chapter 79 of the Laws of the Twenty-first Legislative Assembly of the State of Montana and as further amended by Section 1 of Chapter 67 of the Laws of the Twenty-second Legislative Assembly of the State of Montana and Section 2169 of the Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 96 of the Eighteenth Legislative Assembly of the State of Montana, and as further amended by Section 2 of Chapter 67, of the Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the collection of taxes and the time and method of collecting the same, the interest thereon and providing penalties for the delinquency thereof, and the form of notice of such delinquency." | 338, 397, 398, 420. |
| 282 | A Bill for an Act entitled: "An Act to amend Section 1203 Revised Codes of Montana, 1921, as amended by Chapter 145 Session Laws, 1929, relating to special school tax." | 338, 413, 435, 478, 491, 492, 573, 633, 666, 671, 679, 686, 727, 728, 732. |
| 283 | A Bill for an Act entitled: "An Act to amend Section 4026 of the Revised Codes of Montana of 1921 as amended by Section 1 of Chapter 179 of the Laws of 1929 as amended by Section 1 of Chapter 194 of the Laws of 1931; Section 4028 of the Revised Codes of Montana of 1921 as amended by Section 3 of Chapter 179 of the Laws of 1929; Section 4033 of the Revised Codes of Montana of 1921, Section 4036 of the Revised Codes of Montana of 1921, Section 4040 of the Revised Codes of Montana of 1921, as amended | |

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| | by Section 4 of Chapter 179 of the Laws of 1929; Section 4041 of the Revised Codes of Montana of 1921, Section 4044 of the Revised Codes of Montana of 1921, Section 4050 of the Revised Codes of Montana of 1921, as amended by Section 5 of Chapter 179 of the Laws of 1929, defining investment companies, exempting certain securities from the provisions thereof; providing for the examination of papers and issuance and revocation of permits and suspension of permits pending hearing and right of appeal; providing for the registration of agents and permits to do business and the revocation of such permits; fixing the time at which annual statements and special reports must be filed with Investment Commissioner; regulating circulars and advertisements and the use of the name of the Investment Department or Commissioner or misrepresentation in sales promotion; prescribing the fees to be paid by investment companies, stock-brokers and agents thereof." | 338, 414, 415, 464, 495, 517, 520, 573, 581, 592, 613, 626, 644, 649, 650, 658, 679, 693, 700, 738, 767, 768. |
| 284 | A Bill for an Act entitled: "An Act to amend Section 1213 of the Revised Codes of Montana of 1921 as amended by Chapter 144 of the Session Laws of the Twenty-first Legislative Assembly of Montana relating to the duties of County Treasurers with respect to school district funds." | 338, 413, 435, 478, 498, 505, 573, 630, 633. |
| 285 | A Bill for an Act entitled: "An Act regulating the sale of frozen desserts, defining certain frozen products and fixing penalty for the violation hereof." | 338, 474, 526. |
| 286 | A Bill for an Act entitled: "An Act appropriating money for the payment of a certain claim made by Pietro Maria Amabile Notti, as consular agent of Italy at Butte, Montana, by reason of certain moneys belonging to Frank Deorro, deceased, and paid and delivered to the State Treasurer of the State of Montana as an escheated estate and directing the State Auditor to draw his warrant in settlement of said claim." | 338, 374. |
| 287 | A Bill for an Act entitled: "An Act to amend Sections 4147, 4148, 4152, 4155 and 4156 of the Revised Codes of Montana of 1921, relating to the regulation of auctioneers." | 339, 468, 498, 526, 550, 551, 574, 735, 740, 741. |

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| 288 | A Bill for an Act entitled: "An Act to amend Section 9449 Revised Codes of Montana 1921, relating to possession of lands prior to foreclosure and during period of redemption." | 339, 379, 413, 449, 452, 462, 463, 499, 656, 668, 682, 683, 688, 689. |
| 289 | A Bill for an Act entitled: "An Act to repeal Section 2323 of the Revised Codes of Montana, 1921, as amended by Chapter 74 of the Session Laws of the Twenty-second Legislative Assembly, and to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325 and 2326 of the Revised Codes of Montana 1921, relating to coal mines license tax." | 339, 397. |
| 290 | A Bill for an Act entitled: "An Act to appropriate money from the general fund of the state to compensate J. G. Link, Inc., for services rendered by it to the State of Montana as architect of the dining hall and guards' quarters building of the State Prison at Deer Lodge, Montana, and to reimburse it for the cost of a visit made by its agent to San Quentin and Folsom Prisons in California at the instance of the State Board of Examiners." | 339, 373. |
| 291 | A Bill for an Act entitled: "An Act to provide for the appointment of a commission by the Governor of Montana, for the purpose of administering relief funds advanced by the Reconstruction Finance Corporation of the United States defining the duties and powers of such commission, and providing an appropriation therefor." | 339, 374, 404, 424, 439, 441, 484, 572, 580, 592, 603, 611, 626. |
| 292 | A Bill for an Act entitled: "An Act to empower County Treasurers to accept partial payments on delinquent taxes; stipulating the amount to be collected; the interest to be charged on deferred balances; the manner in which moneys for taxes so collected shall be handled; description of delinquent taxes as construed by this Act; collection of taxes not delinquent." | 340, 425, 431, 479, 523. |
| 293 | A Bill for an Act entitled: "An Act providing for a lien upon personal property for services performed by agricultural and farm laborers." | 341, 436, 479, 521, 522, 533, 536, 537. |
| 294 | A Bill for an Act entitled: "An Act relating to revenue and taxation, imposing an excise or license tax on retail merchants, as the words 'retail merchants' are used in this Act; providing | |

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| | for the collection of such tax; the distribution and use of the revenue derived therefrom; the administration of said law, fixing fines and penalties for the violation of this Act; declaring an emergency to exist, and repealing all laws in conflict with the provisions of this Act."..... | 341, 469, 498, 513, 523, 531, 574, 711, 713. |
| 295 | A Bill for an Act entitled: "An Act to amend Sections 4867 and 4873 of the Revised Codes of Montana, 1921, relating to the salaries of county officers and the compensation allowed deputies and assistants in the various counties in the state, and amending Sections 4869, 4870 of the Revised Codes of Montana, 1921, and Section 4871 as amended by Chapter 85 of the Twenty-first Legislative Assembly, relating to County Superintendents of Schools." | 341, 376, 406, 458, 459, 472, 474, 475, 512, 526, 555. |
| 296 | A Bill for an Act entitled: "An Act to permit the withdrawal of lands from an irrigation district and the organization of the same into a separate district or the consolidation thereof with a different existing district and repealing all Acts in conflict therewith." | 341, 487, 512, 523, 533, 539, 574, 654, 666, 667, 682, 688. |
| 297 | A Bill for an Act entitled: "An Act to amend Section 1522 of the Revised Codes of Montana of 1921, relating to support of free patients at the Montana State Tuberculosis Sanitarium."..... | 341, 380, 413, 449. |
| 298 | A Bill for an Act entitled: "An Act transferring to the State Board of Equalization the duties and powers conferred upon the Public Service Commission of Montana by Chapter 109 of the Laws of the Twentieth Legislative Assembly, relating to the licensing of dealers in gasoline or other petroleum products, fixing standards and requiring accurate measuring devices for the sale thereof." | 341, 465, 466. |
| 299 | A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 2 Article 12 of the Constitution of the State of Montana, relating to revenue and taxation; providing for exemption from taxation of the homestead as defined by law." | 341, 393, 480, 481. |
| 300 | A Bill for an Act entitled: "An Act authorizing J. G. Link; George H. Carsley; A. B. DeKay and Son; Shanley, Wilson and Hugenin; Fred Binkman; McIver and Cohagen; C. J. Forbis and others | |

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| | to file with the State Board of Examiners their respective claims against the State of Montana for compensation for services as architects in drafting and making plans and specifications for Montana state institutional buildings at the special instance and request of the State Board of Examiners and authorizing said State Board of Examiners to hear, audit and determine said claims and making an appropriation to pay any such claims which said State Board of Examiners may approve and allow." | 341, 374. |
| 301 | A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 60 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, relating to the exchange of state lands, and providing that the State Board of Land Commissioners of the State of Montana may make trades or exchanges with any county or counties within the State of Montana for county lands or real estate." | 342, 454, 496, 524, 533, 536, 574, 655, 666, 667, 682, 683, 688. |
| 302 | A Bill for an Act entitled: "An Act to amend Section 571 of the Revised Codes of Montana of 1921, relating to compensation of County Clerks for furnishing poll-books and for other expenses incurred on account of such election." | 342, 412, 478, 480, 486, 498, 573, 589, 593. |
| 303 | A Bill for an Act entitled: "An Act for the recovery of attorney fees as damages, benefits or money due under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in cases of fraud, lack of diligence, or vicious delay." | 342, 416, 450, 479, 505, 573, 740. |
| 304 | A Bill for an Act entitled: "An Act to amend Section 29 of Chapter 188 of the Laws of the Twenty-second Legislative Assembly of the State of Montana relating to the redemption of county bonds before maturity." | 342, 380, 413, 449, 457, 464, 472, 479, 480, 484, 485, 573, 632, 666, 668, 682, 683, 688. |
| 305 | A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate, and corporation engaging in or carrying on the business of distributing natural gas within this state or conducting natural gas produced within this state through | |

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| | a pipe line to a point outside the state; to pay to the State Treasurer for engaging in carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of the provisions of this Act."..... | 342, 471, 498, 502, 512, 513, 516, 523, 527, 573, 656, 692, 694, 696, 701, 722, 728, 733, 739, 745, 752, 757, 758, 767, 768. |
| 306 | A Bill for an Act entitled: "An Act providing that each Legislative Assembly shall fix the compensation of all employees of the House and Senate for that particular session, not to exceed, however, the compensation now allowed by law."..... | 342, 375, 404, 424, 439, 444, 445, 484, 532, 591, 604, 645, 646, 660. |
| 307 | A Bill for an Act entitled: "An Act relating to the amount which may be paid for certain public printing." | 342, 375, 404, 424, 439, 445. |
| 308 | A Bill for an Act entitled: "An Act defining 'bottled soft drink products' and imposing certain license fees and taxes on the sale of 'bottled soft drink products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of 'bottled soft drink products' by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith." | 342, 433. |
| 309 | A Bill for an Act entitled: "An Act relating to contracts for state, county, city and all public printing." | 342, 412, 450, 479. |
| 310 | A Bill for an Act entitled: "An Act relating to the issue of funding or refunding bonds by incorporated cities and towns, and amending Section 1 of Chapter 160 of the 1931 Session Laws of the State of Montana."..... | 342, 453, 496, 523, 549, 574, 632, 666, 668, 689, 710, 714, 744, 754, 755. |

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| 311 | A Bill for an Act entitled: "An Act prohibiting state, county, or municipal officers from transacting certain business or entering into certain contracts with city, county, municipal or school districts." | 343, 379, 413, 449. |
| 312 | A Bill for an Act entitled: "An Act providing for the security of depositors in the incorporated banks of Montana, creating the bank depositors' guaranty fund of the State of Montana, and providing regulations therefor, and penalties for the violation thereof." | 343. |
| 313 | A Bill for an Act entitled: "An Act to provide for the organization, maintenance and supervision of a fire insurance rate making bureau; to provide for the making and filing of such rates by the bureau, insurance companies and other insurers; to generally regulate rate making agreements; to prohibit discriminations; and to empower the State Commissioner of Insurance to examine such rate making bureaus; providing penalties for violations; and to repeal all Acts and parts of Acts in conflict herewith." | 343. |
| 314 | A Bill for an Act entitled: "An Act permitting the construction of passes on roads and highways which will permit the passage of automobiles and trucks and prevent the passage of livestock; authorizing such construction by County Commissioners or under their direction, under certain conditions; and providing that such a pass in a legal fence shall not deprive such fence of its character as a legal fence." | 343, 450, 490, 524, 546, 574, 632, 666, 708, 715, 717. |
| 315 | A Bill for an Act entitled: "An Act relating to the powers of County Commissioners to issue and sell funding bonds, and amending Section 6 of Chapter 188 of the 1931 Session Laws of the State of Montana." | 343, 438. |
| 316 | A Bill for an Act entitled: "An Act providing for a penalty against the owner, lessor or operator of any coal mine, who shall discharge employees for refusing to work in unventilated tunnels, rooms or other excavations, where the same shall not have been ventilated as provided in Sections 3504, as amended, and 3505 Revised Codes of Montana of 1921." | 343, 436. |
| 317 | A Bill for an Act entitled: "An Act to amend Sections 4835, 4836, 4843, 4845 and 4847 of Chapter 31 of the Revised Codes of Montana of 1921, relating to the qualifications of County Surveyor, | |

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| | defining the powers and duties of County Surveyor in certain counties; and providing for compensation of County Surveyor." | 343, 435. |
| 318 | A Bill for an Act entitled: "An Act declaring the 'processing and distributing' of gasoline and petroleum products, a public utility, placing the same under the supervision of the Public Service Commission of Montana; compelling said Commission to fix 'Montana freight differential or differentials' on gasoline or petroleum products, prohibiting discrimination in the sale of products to foreign persons or corporations as against Montana residents, providing penalties for violations of this Act." | 343, 434, 468. |
| 319 | A Bill for an Act entitled: "An Act to amend Section 6118 of the Revised Codes of Montana of 1921, relating to obtaining of license to transact insurance business all agents, providing for filing of application for license and qualification of applicant; the filing of statement of company at time of termination of employment of an agent; providing for the suspension of revocation of licenses and providing for right of appeal from ruling of Insurance Commissioner." | 343, 380, 413, 426, 471, 516, 533, 539, 540, 574, 632, 666, 669, 674, 675, 713, 716, 726, 727, 742, 767, 768. |
| 320 | A Bill for an Act entitled: "An Act making it unlawful for any one to use any money appropriated for the Extension Service for the purpose of paying salaries and expenses of County Agents." | 343, 525. |
| 321 | A Bill for an Act entitled: "An Act making it mandatory upon the State Highway Commission to perform all highway construction work within the State of Montana, directly under the supervision of the Highway Commission by employing all labor on a 'day labor basis,' and providing further that the Highway Commission shall furnish all equipment and materials for the performance of said work and providing a penalty and forfeiture for failure to carry out the provisions of this Act." | 344, 455, 490, 525. |
| 322 | A Bill for an Act entitled: "An Act to amend Section 2723 of the Revised Codes of Montana for 1921, relating to fees for inspection or examination of boilers, and repealing all Acts and parts of Acts in conflict herewith." | 344, 465. |

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| 323 | A Bill for an Act entitled: "An Act to amend Sections 2819, 2823, 2827, 2830 of the Revised Codes of Montana of 1921, providing for members of the Industrial Accident Board; no additional salary of Board members; appointment of Secretary of Board and salary of Secretary and manner of payment of salary." | 344, 498. |
| 324 | A Bill for an Act entitled: "An Act to amend Section 2435, Revised Codes of Montana, 1921, relating to oleomargarine, cigarettes and warehouses." | 345, 451. |
| 325 | A Bill for an Act entitled: "An Act to impose certain license fees and taxes on the sale of cigars, cheroots, stogies, cigarettes, manufactured tobacco, and snuff sold, and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of the above described articles by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties, and to appropriate and apportion the revenues derived from this tax to certain funds of the State of Montana, and repealing other dealer's license fees now exacted in the sale of the aforesaid commodities, and further repealing all Acts and parts of Acts in conflict herewith." | 345, 411. |
| 326 | A Bill for an Act entitled: "An Act to provide for the construction of a reinforced concrete guard fence around a portion of Silver Lake, situated in the County of Deer Lodge, and providing for the cost of said construction to be paid out of the funds of the State Highway Commission." | 345, 467, 468, 524, 533, 535, 574, 605, 631, 652, 665, 666, 674. |
| 327 | A Bill for an Act entitled: "An Act to amend Section 4482 of the Revised Codes of Montana of 1921 providing that under certain conditions, County Commissioners may contract with newspapers published in the State of Montana and outside of their county for a portion of the supplies generally included in printing contracts." | 345. |
| 328 | A Bill for an Act entitled: "An Act providing for the levy and collection of an income tax; providing for exemptions and fixing basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in its administration; providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under | |

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| 329 | <p>A Bill for an Act entitled: "An Act to amend Section 2761 of the Revised Codes of Montana, 1921, relating to tax levy and expenditure of funds."</p> | <p>346, 395, 426, 449, 472, 473, 499, 605, 631, 666, 668.</p> |
| 330 | <p>A Bill for an Act entitled: "An Act to repeal Sections 2382 and 2383 of the Revised Codes of Montana of 1921, both as amended by Chapter 150 of the Laws of 1923 as amended by Chapter 186 of the Laws of 1925 as amended by Initiative Measure No. 31 of the Laws of 1927 as amended by Chapter 92 of the Laws of 1929 as amended by Chapter 6 of the Laws of 1931; and to repeal Sections 2384 and 2389 of the Revised Codes of Montana of 1921 both as amended by Chapter 186 of the Laws of 1925; and to repeal Section 2392 of the Revised Codes of Montana of 1921 as amended by Chapter 150 of the Laws of 1923 as amended by Chapter 186 of the Laws of 1925 as amended by Initiative Measure No. 31 of the Laws of 1927; and to repeal Sections 2381, 2385, 2386, 2387, 2388, 2390, 2391, 2395 and 2396 of the Revised Codes of Montana of 1921; and to repeal Sections 2 and 3 of Chapter 19 of the Laws of 1927 as amended by Chapter 92 of the Laws of 1929 as amended by Chapter 6 of the Laws of 1931; and to repeal Chapter 95 of the Laws of 1931; relating to gasoline distributors and dealers' license tax and the State Highway Treasury Anticipation Debenture Act."</p> | <p>346, 393.</p> |
| 331 | <p>A Bill for an Act entitled: "An Act to provide for the support of the government of Montana for the years 1933 and 1934."</p> | <p>346, 393, 490, 502, 512, 513, 515, 520, 521, 543, 574, 723, 725, 767, 768.</p> |
| 332 | <p>A Bill for an Act entitled: "An Act creating a State Narcotic Enforcement Department, delegating the Attorney General ex-officio head of the Narcotic Enforcement Department, authorizing the appointment of investigators to carry out the provisions of this Act and providing regulations therefor and providing for an appropriation."</p> | <p>346, 466.</p> |

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| 334 | A Bill for an Act entitled: "An Act making appropriation for and directing payment to the heirs of Gertrude Foss Malone, deceased, of moneys belonging to such heirs heretofore escheated to the State of Montana, and providing for the determination of heirship." | 346, 374. |
| 335 | A Bill for an Act entitled: "An Act defining the offense of kidnaping and relating to the trial of same and the punishment therefor and to repeal Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921 in relation to kidnaping." | 377, 465, 498, 523, 533, 535, 574, 632, 666, 708, 715, 717. |
| 336 | A Bill for an Act entitled: "An Act to appropriate funds for the operation and maintenance of certain of the state's institutions for the period beginning July 1, 1933, and ending June 30, 1935." | 378, 407, 450, 479, 498, 504, 573, 700, 710, 711, 743, 754, 755. |
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| 21 | A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 92, Session Laws of 1927, being an Act entitled, 'An Act relating to the giving of notice on application for tax deeds by counties, cities and towns, and legalizing and validating tax deeds heretofore issued to counties, cities and towns'." | 73, 162, 198, 212, 216, 267, 293, 304, 360, 361, 377, 681, 696, 703, 704, 736. |
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| 45 | A Bill for an Act entitled: "An Act amending Sections 3683, 3685 and 3691 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 59, Laws of the Twentieth Legislative Assembly of the State of Montana of 1927 and as amended by Chapter 161 of the Twenty-second Legislative Assembly of the State of Montana of 1931, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; exceptions in the applications of the provisions of this Act and repealing all Acts and parts of Acts in conflict with the provisions of this Act."..... | 107, 228, 319, 348, 365, 482. |
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| 64 | A Bill for an Act entitled: "An Act amending Section 3670 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 59 of the Session Laws of 1927, providing that all sales and purchases made by the State Fish and Game Commission shall be upon requisitions granted by the State Purchasing Agent." | 140, 212, 429, 482, 562, 602, 603, 626, 636, 683. |
| 65 | A Bill for an Act entitled: "An Act to amend Sections 4872 and 4873 Revised Codes of Montana 1921, Section 4874 Revised Codes of Montana 1921, as amended by Chapter 82 Session Laws 1923 and Sections 4875, 4878 and 4880 Revised Codes of Montana 1921, and repealing Sections 4876, 4877, 4881, 4882 and 4883, Revised Codes of Montana 1921, all relating to deputies and assistants to county officers and their salaries and compensation." | 140, 150, 199, 213, 319, 348, 423, 460, 558, 569, 659, 661, 679. |
| 66 | A Bill for an Act entitled: "An Act to amend Sections 4885 and 4916, Revised Codes of Montana 1921, as amended by Chapter 111, Session Laws 1927, and Chapter 89, Session Laws 1929, relating to the mileage, expense and fees of Sheriffs." | 140, 150, 199, 212, 216, 569. |
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| 78 | A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 89 of the Montana Session Laws of 1925 relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase land sold for delinquent taxes; to purchase and take assignments or certificates to tax sales to said lands; to take title to land so sold for taxes and to purchase such lands in the county when tax deed therefor have issued to the county; and to manage, operate, lease, sell and dispose of the same for the use and benefit of the district on such terms as may seem for the best interest of such district; to commence, maintain and prosecute suits to quiet title as to the land so purchased." | 174, 228, 256, 298, 302, 398, 399, 564, 565, 568, 595. |
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| 130 | A Bill for an Act entitled: "An Act to amend Chapter 52 of Political Code of Revised Codes of Montana of 1921 relating to primary nominations by a direct vote, and the primary election; by amending Sections 634, 636, 639, 645, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923 and Section 654 and by the addition thereto of a new section to be known as Section 632-A, all providing for a definition of a political party and describing the candidates that are to be chosen by a political party and further providing for a non-partisan election and describing what candidates shall be chosen and the method by which they shall be chosen as non-partisan candidates; all Acts and parts of Acts in conflict with the provisions of this Act are hereby specifically amended to conform with the provisions of this Act." | 299, 462. |
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| 170 | A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana, of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8 prohibiting the abandonment, abolishment, termination or consolidation of counties except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolished, terminated or consolidated." | 367, 581. |

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| 199 | A Bill for an Act entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267 of the Revised Codes of Montana of 1921." | 388, 430, 556, 561, 586, 626, 634, 683. |
| 200 | A Bill for an Act entitled: "An Act to amend Section 3777 of the Revised Codes of the State of Montana of 1921, as amended by Section 31 of Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, relating to the license for breeding, propagating game birds, game and fur-bearing animals." | 382, 482, 557, 559, 602, 626, 638, 673. |
| 201 | A Bill for an Act entitled: "An Act to amend Sub-section 8 of Section 4465 of the Revised Codes of the State of Montana 1921 as amended by Chapter 100 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to certain duties of Board of County Commissioners." | 383, 462, 499, 502, 562, 627, 650, 658, 659, 716. |
| 202 | A Bill for an Act entitled: "An Act defining the practice of law, regulating the practice thereof, prohibiting the advertising thereof, and providing a penalty for the violation thereof."..... | 383, 430. |
| 203 | A Bill for an Act entitled: "An Act in relation to arson and the burning of property to defraud an insurer and to repeal Sections 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345, 11346 of the Revised Codes of Montana of 1921."..... | 383, 482, 557, 559, 587, 626, 644. |
| 204 | A Bill for an Act entitled: "An Act to amend Sections 9443 and 9444 of the Revised Codes of the State of Montana, of 1921, relating to the time of redemption and the interest to be paid on the judgment." | 460, 500. |

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| SENATE JOINT RESOLUTIONS | | |
| 1 | A Joint Resolution ratifying an amendment to the Constitution of the United States fixing the commencement of the terms of President, Vice-President and members of Congress, and fixing the time of the assembling of Congress..... | 18, 33, 54, 57, 61, 70. |
| 2 | A Resolution requesting that a committee be immediately appointed to confer with a like committee from the House and the Governor, relative to meeting the present emergency arising respecting the payment of mileage and per diem of members and employees of the Twenty-third Legislative Assembly. | 33. |
| 3 | A Resolution memorializing Congress of the United States to enact H. J. R. 191, commemorating the one hundred and fiftieth anniversary of the naturalization as an American citizen in 1783 of Brigadier General Thaddeus Kosciuszko, a hero of the Revolutionary War, by issuing special series of postage stamps in honor of Brigadier General Thaddeus Kosciuszko. | 279, 301, 365, 400, 587, 599, 600, 616, 617, 672. |
| 4 | A Joint Resolution providing for an immediate discharge of all attaches of both Houses of the Legislature of the Twenty-third Legislative Assembly of the State of Montana, who are related in certain degrees of consanguinity or affinity to members of either or both Houses, and also providing for the immediate discharge of all those persons appointed to state or county positions who are related in certain degrees of consanguinity or affinity to the person so appointing them. | 383, 388. |
| 5 | A Resolution requesting the enactment by Congress of legislation necessary to bring about the completion of a through seaway via the St. Lawrence River, and requesting the President of the United States to proceed to a treaty with Canada relative thereto. | 388, 423, 499, 501, 562, 587, 599, 600, 617, 673. |
| SENATE JOINT MEMORIALS | | |
| 1 | A Memorial to the Interstate Commerce Commission of the United States, advocating a reduction of freight rates on gasoline from mid-continent points to Montana points..... | 53, 57, 87, 93, 96, 120, 131, 136, 155. |

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| 2 | <p>"A Memorial to the Congress of the United States urging the prompt enactment of legislation for the rehabilitation of the farm industry through the adoption of some form of the domestic allotment plan, the refinancing of farm mortgages, and such other measures as may be found necessary to place the farm industry upon approximately the same footing as other great industries of the United States.".....</p> | <p>53, 116, 163, 179, 184, 273, 305, 306, 313, 353.</p> |
| 3 | <p>A Memorial to the President of the United States, to the Congress of the United States, to the Interstate Commerce Commission, and to the Reconstruction Finance Corporation, relating to the enactment of adequate legislation, issuing of executive or other order to prevent the loaning or advancing of funds to railroad companies, insurance companies, banks or other financial institutions, by the United States until the salaries of all their executives and other employees are reduced and made commensurate with the value of services rendered and based upon the net annual earnings of the companies and corporations applying for government loans, and that the value of property owned by any individual be subject to limitation through appropriate income tax and inheritance tax legislation, to the end that individual wealth and combinations of individual wealth may be forever precluded from exercising political power and control through and because of opulency, and that railroad transportation rates be reduced that business activities may be stimulated rather than retarded.".....</p> | <p>88, 383.</p> |
| 4 | <p>A Memorial memorializing the Congress of the United States for a more lenient settlement of the 1932 federal seed loans.....</p> | <p>93, 106, 140, 162, 164, 251, 331, 361, 368, 369, 411.</p> |
| 5 | <p>A Memorial memorializing the President of the United States and the Congress of the United States for the immediate passage of necessary legislation providing for the recapture by Congress of all right and authority to expand or contract the currency of the United States and all credit based thereon, as set forth in the provisions and intent of the Constitution of the United States, and providing for a bi-metallic base and the immediate expansion of currency, and providing for the distribution of such expanded currency to the relief of agriculture, unemployment, trade, manufacturing and transportation in the United States, and for the safeguarding of this nation and the perpetuation of its government.</p> | <p>108, 174.</p> |

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| 7 | A Memorial memorializing the Congress of the United States for a grant of land for the use and benefit of the Northern Montana Agricultural and Manual Training School..... | 140, 200, 243, 276, 281, 332, 361, 369, 411. |
| 8 | A Memorial memorializing the President and Congress of the United States to support or initiate a movement to stabilize the monetary and credit basis, so as to improve world commodity prices..... | 149, 175, 213, 255, 309, 344, 353, 415, 564, 565, 566, 567. |
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| 10 | A Memorial to the Congress of the United States, urging continuance of established highway federal aid and action upon pending highway authorizations. | 227, 301, 348, 400, 418, 564, 565, 567, 595. |
| 11 | A Memorial to the Congress of the United States urging restraint and prevention of the traffic in alcoholic beverages over and across the boundary lines of the State of Montana..... | 279, 423. |
| 12 | A Memorial memorializing the Governor of the State of Montana, praying for the issuance of a proclamation to all employers, including all municipal corporations organized and doing business within the State of Montana, requesting the same to place on their pension lists all those employees within their organizations entitled, under their rules and regulations to be placed thereon, and fill those vacancies made by such pensions with available unemployed persons. | 279, 301. |
| 13 | A Memorial memorializing the Congress of the United States urging immediate action toward | |

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| 14 | A Memorial to the Congress of the United States requesting the enactment of legislation reducing the rate of interest required to be paid on loans made by the Reconstruction Finance Corporation in aid of industries. | 501, 557, 559, 571, 594, 608, 673. |
| SENATE RESOLUTIONS | | |
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HOUSE JOURNAL

OF THE

TWENTY-THIRD LEGISLATIVE ASSEMBLY

OF THE

STATE OF MONTANA

FIRST DAY

House of Representatives,
Helena, Montana, January 2, 1933.

Pursuant to law, at the hour of 12:00 o'clock noon, the House of Representatives of the Twenty-third Legislative Assembly of the State of Montana, was called to order by the Honorable Sam W. Mitchell, Secretary of State of the State of Montana.

At the request of the Secretary of State, Reverend O. J. Hagen of Valley County gave the invocation.

The Secretary of State then appointed John J. Jewell of Judith Basin County, Temporary Chief Clerk; W. W. Crawford of Cascade County, Temporary Sergeant-at-Arms, and Jessie Roscow of Silver Bow County, Temporary Journal Clerk.

The Secretary of State stated that a protest has been filed by David Murphy, Jr., against the seating of John E. Sadring of Musselshell County, and stated that as Sadring has received his certificate of election, his right to a seat is a matter for decision by the House after organization.

The Secretary of State introduced the Honorable Samuel V. Stewart, Associate Justice of the Supreme Court of the State of Montana, who administered the following oath of office to the members present:

"I do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as a member of the House of Representatives of the Legislative Assembly of the State of Montana, with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon, the following members responded to the Roll Call, presented their certificates of election, and subscribed to the foregoing oath of office:

Abrahamson, John C.; Acher, John W.; Anderson, Eric; Arnold, John; Balgord, O. P.; Ballard, Jack; Beadle, M. Kerr; Besancon, Albert; Bjerneby, E. G.; Blankenbaker, V. F.; Breitenstein, A. J.; Byrne, E. J.; Campbell, Ray C.; Chapman, D. W.; Conner, J. B.; Cusker, Dolly; Daugherty, Dennis

E.; Dellwo, D. A.; Doe, Everett; Doran, Tod; Duffy, James L.; Ecton, Zales; Ferry, John F.; Findlater, R. P.; Fitzstephens, Joseph; Fowler, C. W.; Freed, Eldon; Freudenstein, Lou; Givens, Frank G.; Goodwin, Phil C.; Grabow, Edward; Green, Henry R.; Groene, Merle C.; Hagerty, Dave J.; Haight, Herbert; Harlen, Harry C.; Harrington, Jerry J.; Hilger, Peter; Holecek, J. F.; Jensen, Walter H.; Knowles, S. H.; Kruse, Albert H.; Kuhl, Herman E.; Larsen, Leonard E.; Lewis, David J.; Logan, E. U.; Lott, Mortimer J.; Love, J. B.; McCarvel, Thos. F.; McDermott, Peter; McElwain, L. C.; Manning, D. M.; Marshall, M. R.; Mason, George P.; Metlen, Joe; Miles, Ben B.; Miller, Robt. J.; Miller, Timothy; Moss, G. M.; Mulholland, M. J.; Nass, J. N.; Nelstead, T. E.; Nutting, L. A.; O'Connell, Jerry J.; O'Shea, Jas.; Parker, Neil C.; Parker, W. K.; Pierson, Geo. W.; Pilgeram, Wm. P.; Porter, A. T.; Quamme, T. N.; Ragen, D. J.; Ralston, Harry M.; Rearden, John D.; Replogle, Bert; Rognlein, I. D.; Roll, Fritz; Rolph, H. D.; Sadring, John E.; Schuster, Andrew L.; Setzer, G. W.; Shannon, Ray N.; Snidow, T. A.; Somerville, Thomas; Spangler, R. W.; Sparling, Harry; Stephens, Guy C.; Stevens, I. Thayer; Steifel, E. A.; Strange, G. B.; Sullivan, Dan W.; Trenne, M. P.; Ueland, Andrew; Waite, W. T.; Watson, Arthur H.; Watson, Fred; White, B. C.; Wigal, E. E.; Woodcock, J. W.

The following members were absent: J. T. Annin of Stillwater County, and James Whaley of Prairie County.

The certificates of election and oath of office of J. T. Annin of Stillwater County were presented and filed.

The Secretary of State having called for nominations for Speaker, Besancon of Missoula nominated Dennis A. Dellwo of Lake County; Nelstead of Carter nominated G. M. Moss of Flathead County; the nominations were duly seconded. There being no other nominations for Speaker, the Secretary of State declared the nominations closed. The roll was called and the following votes were cast for Dellwo:

Abrahamson, Acher, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ferry, Fitzstephens, Freed, Freudenstein, Givens, Grabow, Green, Groene, Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Larsen, Love, McCarvel, McDermott, Manning, Mason, Metlen, Miller of Big Horn, Miller of Lincoln, Moss, Mulholland, Nass, O'Connell, O'Shea, Parker of Broadwater, Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden of Cascade, Reardon of Deer Lodge, Replogle, Rognlein, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Stephens of McCone, Steifel, Sullivan, White, Wigal, Woodcock. Total 70.

The following votes were cast for Moss:

Anderson, Balgord, Dellwo, Ecton, Findlater, Fowler, Green, Knowles, Kruse, Lewis, Logan, Lott, McElwain, Marshall, Miles, Nelstead, Parker of Flathead, Quamme, Roll, Sadring, Setzer, Sparling, Stevens of Wheatland, Strange, Trenne, Ueland, Waite, Watson of Meagher, Watson of Missoula. Total 29.

Members absent and not voting: J. T. Annin, L. A. Nutting, James Whaley.

The Secretary of State appointed Besancon and Moss to escort the Speaker to the Chair.

The Speaker having assumed the chair, Besancon moved that the Rules, Joint Rules and Order of Business of the Twenty-second Legislative Assembly be adopted as the Rules, Joint Rules and Order of Business of the Twenty-third Legislative Assembly until the Committee on Rules, Joint Rules and Order of Business shall report. Motion seconded and carried.

Moved by Besancon, and duly seconded, that the following Democratic nominees be elected as officers and attaches of the House of the Twenty-third Legislative Assembly:

| | |
|------------------------|-----------------|
| Speaker Pro Tem | Herbert Haight |
| Floor Leader | Albert Besancon |
| Chaplain | O. J. Hagen |
| Sergeant-at-Arms | W. W. Crawford |
| Chief Clerk | John J. Jewell |
| Journal Clerk | Jessie Roscow |
| Bill Clerk | Eugene Murphy |

Moved by Moss and duly seconded that the following Republican nominees be elected as officers and attaches of the House of the Twenty-third Legislative Assembly:

| | |
|------------------------|----------------|
| Speaker Pro Tem | T. E. Nelstead |
| Chaplain | Rev. Wm. Pippy |
| Sergeant-at-Arms | Harry Whitcomb |
| Chief Clerk | H. J. Faust |

Moved by Besancon that the Chief Clerk be instructed to cast 70 votes for the Democratic nominees and 29 votes for the Republican nominees. Motion duly seconded and carried. Vote was so cast and the Speaker declared the Democratic Officers and Attaches elected.

Moved by Besancon that a committee of three be appointed to notify His Excellency, the Governor, that the House is organized and ready to receive any message he wishes to convey. Motion seconded and carried. The Speaker appointed the committee as follows: Metlen of Beaverhead, Chairman; O'Connell of Silver Bow, and Moss of Flathead.

Moved by Besancon that a committee of three be papointed to notify the Honorable Senate that the House is organized and ready for business. Motion seconded and carried. The Speaker appointed the committee as follows: Mason of Lewis and Clark, Chairman; Watson of Missoula, and Shannon of Sanders.

Besancon moved that the Speaker be authorized to appoint a clerk and page to assist him in the duties in the House, and that the majority floor leader be authorized to appoint a clerk to assist him in his duties in the House. Seconded and carried.

Besancon submitted the following motion, which was duly seconded and carried:

"J. T. Annin of Stillwater County has filed his oath of office and certificate of election, but is detained in his home as the result of a serious accident some two or three weeks ago, but Mr. Annin will be here within a week or ten days, and I, therefore, move that he be considered a member of this House and entitled to the privileges and compensation of such member until he appears."

On motion of Besancon, duly seconded and carried, Whaley of Prairie and Nutting of Yellowstone, who were absent from the House because of illness, were excused until able to appear.

The Speaker announced the appointment of the following committees:
 Mileage and Per Diem: Rolph of Liberty, Chairman; Whaley of Prairie; Parker of Flathead.

Rules, Joint Rules and Order of Business: Besancon of Missoula, Chairman; Moss of Flathead; Haight of Fergus; Nelstead of Carter; Mr. Speaker.

Seating: Freed of Petroleum, Chairman; Goodwin of Silver Bow; Roll of Cascade.

Employment: Porter of Ravalli, Chairman; O'Connell of Silver Bow; Abrahamson of Carbon; Miller of Lincoln; Cusker of Roosevelt; Waite of Powder River; Roll of Cascade.

The committee appointed to notify the Senate that the House was organized, reported that they had so notified the Honorable Senate.

A committee from the Senate reported that the Honorable Senate was organized and ready for business.

The committee appointed to notify His Excellency, the Governor, that the House was organized, reported that on tomorrow, January 3, 1933, the Governor will deliver his message to the joint Session of the House and Senate, at 11:00 o'clock A. M.

Besancon submitted the following motion, which was duly seconded and carried:

"I move that Rule 8 of the House Rules, on Committees, be amended to include a Committee on Economy, to consist of fifteen members, the same to be appointed by the Speaker, and that the Committees under this Rule be renumbered accordingly." Motion referred to the Committee on Rules, Joint Rules and Order of Business.

Besancon moved that Whaley of Prairie, who was absent when the oath of office was administered, but who returned to the House during the recess, be permitted to present his certificate of election and file his oath of office. Motion duly seconded and carried. Whaley of Prairie thereupon filed his certificate of election and subscribed the oath of office as above.

"Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for positions, submit the following names for the aforesaid positions:

| | |
|---------------------------------------|------------|
| Assistant Sergeant-at-Arms: | County |
| Horace Casey, First Assistant | Silver Bow |
| Andrew Mackey, Second Assistant | Silver Bow |

| | |
|-----------------------------|-------------|
| Telephone Operator: | |
| Dona Raymond | Cascade |
| Betty Peck, Assistant | Yellowstone |

| | |
|----------------------|------------|
| Pages: | |
| Robert Dellwo | Lake |
| Hammond Porter | Ravalli |
| Fred Grindie | Cascade |
| Peter Curran | Silver Bow |

| | |
|------------------------|----------|
| Door Keepers: | |
| Wm. L. Cain | Custer |
| John T. Hamilton | Missoula |

| | |
|------------------------|---------|
| Reading Clerk: | |
| R. Bailey Stortz | Rosebud |

| | |
|---------------------------|-----------------|
| Stenographers: | |
| Ethel Langdorf | Lewis and Clark |
| Blodwyn Anderson | Yellowstone |
| Bertha M. Hogan | Cascade |
| Veva Smith | Broadwater |
| Marcia Orr Jacobson | Missoula |

A. T. PORTER, Chairman,
Employment Committee."

On motion by Porter, duly seconded and carried, report adopted.

The members were requested to file their preferences for committee appointments with the Chief Clerk at the earliest possible moment, selecting five committees upon which they would like to serve.

Moved by Besancon that the House adjourn until 10:00 o'clock tomorrow morning, January 3rd, 1933. Motion seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SECOND DAY

House of Representatives,
Helena, Montana, January 3, 1933.

House met pursuant to adjournment at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except the following: J. T. Annin, James L. Duffy, C. W. Fowler, Thos. F. McCarvel, M. J. Mulholland, L. A. Nutting, Geo. W. Pierson, A. T. Porter, Harry Sparling, Guy Stephens, B. C. White.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the following motion by Besancon, to-wit: 'I move that Rule Eight (8) of the House Rules, on Committees, be amended to include a Committee on Economy to consist of Fifteen (15) members, the same to be appointed by the Speaker and that the committees under this Rule be renumbered accordingly,' respectfully report as follows: That said motion do pass.

BESANCON, Chairman."

Besancon moved that the report be adopted. Seconded and carried.

Goodwin of Silver Bow was given permission to speak out of order, and called attention of the House to the fact that five former members of the House have passed on during the past two years: Byron E. Cooney of Silver Bow County; George S. Martin of Glacier Park; Charles F. Murphy of Deer Lodge; Dr. LeRoy Southmayd of Cascade; Thomas J. Troy of Hill.

The Speaker announced the appointment of the following committees:

Engrossing Committee: Rolph of Liberty, Chairman; Harlen of Blaine, Vice-Chairman; Freed of Petroleum, Green of Dawson, Nelstead of Carter.

Enrolling Committee: Larsen of Deer Lodge, Chairman; Mulholland of Silver Bow, Vice-Chairman; Ralston of Glacier, Ecton of Gallatin, Lewis of Richland.

Printing Committee: Somerville of Park, Chairman; Hilger of Lewis and Clark, Vice-Chairman; Wigal of Missoula, Moss of Flathead, Annin of Stillwater.

Privileges and Elections Committee: Chapman of Daniels, Chairman; Goodwin of Silver Bow, Vice-Chairman; Pilgeram of Cascade, Miller of Big Horn, Parker of Flathead, Ueland of Sheridan, Reardon of Deer Lodge, Love of Dawson, Trenne of Roosevelt, Spangler of Mineral, Groene of Fergus, Bjerneby of Flathead, Knowles of Jefferson, Watson of Meagher, Miller of Lincoln.

The Speaker announced that the House would recess until 11:00 o'clock or until His Excellency, the Governor, should appear to deliver his message to the joint Session of the House and Senate, subject to the call of the Chair.

House resumed, at 11 o'clock.

Mr. Speaker in the Chair.

A committee from the Senate announced that the Senate is ready to meet the House in joint Session. The Speaker invited the members of the Senate to be seated with the members of the House. The members of the Senate then appeared and occupied seats accordingly. The Speaker announced that the Lieutenant Governor, Hon. Frank H. Cooney, Presiding Officer of the Senate, would preside over the joint Session.

The Secretary of the Senate called the roll of the Senate; the Chief Clerk of the House called the roll of the House. A quorum of both Houses being present, the joint Session convened.

Moved by Kane that a committee of five be appointed to notify His Excellency, the Governor, that the members of the Senate and House were in joint Session and ready to hear his message. Motion seconded and carried. Thereupon Lieutenant Governor Cooney appointed Senator Kane, Senator Donovan, Representative Cusker, Representative Besancon, and Representative Moss.

Lieutenant Governor Cooney announced that His Excellency, the Governor, was ready to appear and deliver his message.

His Excellency, Governor Erickson, then appeared and on being escorted to the Chief Clerk's desk, was introduced by Lieutenant Governor Cooney and delivered his message to the members of the Senate and House in joint Session assembled.

On motion of Kane, a committee consisting of the following: Senator Kane, Representative Besancon, Senator Garber, Representative Cusker and Representative Moss, was appointed to escort His Excellency, the Governor, to his chambers.

Moved by Kane that 500 copies of the Governor's message be printed for distribution. Seconded and carried.

Moved by Kane that the joint Session be dissolved and the Senate retire from the hall of the House. Carried.

The Speaker appointed a committee to prepare appropriate resolutions on the deaths of former members, consisting of Metlen of Beaverhead, Chairman; Groene of Fergus; Moss of Flathead.

On motion of Besancon, duly seconded, the House recessed until 1:30 o'clock.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

Besancon submitted the following motion: "I move that Rule Thirty-five (35) of the House Rules be amended and readopted to read as follows:

RULE 35

Introduction of Bills

1. No bill for the appropriation of money except for expenses of State Government, shall be introduced within ten days of the close of the Session, except by unanimous consent. This rule shall not be suspended.

2. No member shall introduce more than two bills in one day and not more than three bills during the Session. This rule shall not affect the rights of standing and select committees to introduce bills.

3. No bills may be introduced after the 40th day, except substitute bills for bills pending.

BESANCON."

Referred to Committee on Rules, Joint Rules and Order of Business.

Moved by Besancon that unless otherwise ordered by the House, only 500 copies of House bills be printed. Seconded and carried.

Recess ordered subject to the call of the Chair.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Mileage and Per Diem, beg to submit the following report, indicating the number of miles traveled by the following members of the House, and the sums due them therefor."

Moved by Besancon that the report be considered read at length and the Journal so show. Seconded and carried.

| Name | City | Miles | Amount |
|--------------------------------|------|-----------|----------|
| Abrahamson, John C., Roberts | | 510 @ 10 | \$ 51.00 |
| Acher, John W., Zurich | | 504 @ 10 | 50.00 |
| Anderson, Eric, Regina | | 706 @ 10 | 70.60 |
| Annin, J. T., Columbus | | 396 @ 10 | 39.60 |
| Arnold, John, Birney | | 860 @ 10 | 86.00 |
| Balgord, O. P., Lavina | | 388 @ 10 | 38.80 |
| Ballard, Jack, Carlyle | | 1052 @ 10 | 105.20 |
| Beadle, M. Kerr, Butte | | 144 @ 10 | 14.40 |
| Besancon, Albert, Missoula | | 238 @ 10 | 23.80 |
| Bjorneby, E. G., Kalispell | | 498 @ 10 | 49.80 |
| Blankenbaker, V. F., Virgelle | | 344 @ 10 | 34.40 |
| Breitenstein, A. J., Havre | | 442 @ 10 | 44.20 |
| Byrne, E. J., Galata | | 492 @ 10 | 49.20 |
| Campbell, Ray C., Great Falls | | 98 @ 10 | 9.80 |
| Chapman, D. W., Peerless | | 1222 @ 10 | 122.20 |
| Conner, J. B., Farmington | | 314 @ 10 | 31.40 |
| Cusker, Dolly, Poplar | | 890 @ 10 | 89.00 |
| Daugherty, Dennis E., Baker | | 938 @ 10 | 93.80 |
| Dellwo, D. A., Charlo | | 356 @ 10 | 35.60 |
| Doe, Everett, Philipsburg | | 194 @ 10 | 19.40 |
| Doran, Tod, Butte | | 144 @ 10 | 14.40 |
| Duffy, James L., Havre | | 442 @ 10 | 44.20 |
| Ecton, Zales, Manhattan | | 158 @ 10 | 15.80 |
| Ferry, John F., Butte | | 144 @ 10 | 14.40 |
| Findlater, R. P., Miles City | | 770 @ 10 | 77.00 |
| Fitzstephens, Joseph, Belgrade | | 178 @ 10 | 17.80 |
| Fowler, C. W., Billings | | 478 @ 10 | 47.80 |
| Freed, Eldon, Winnett | | 540 @ 10 | 54.00 |
| Freudenstein, Lou, Butte | | 144 @ 10 | 14.40 |
| Givens, Frank G., Great Falls | | 196 @ 10 | 19.60 |
| Goodwin, Phil C., Butte | | 144 @ 10 | 14.40 |
| Grabow, Edward E., Livingston | | 246 @ 10 | 24.60 |
| Green, Henry R., Lindsay | | 976 @ 10 | 97.60 |
| Groene, Merle C., Lewistown | | 430 @ 10 | 43.00 |
| Hagerty, Dave J., Miles City | | 770 @ 10 | 77.00 |
| Haight, Herbert, Suffolk | | 504 @ 10 | 50.40 |
| Harlen, Harry C., Chinook | | 486 @ 10 | 48.60 |

| | | |
|---|-----------|--------|
| Harrington, Jerry J., Butte | 144 @ 10 | 14.40 |
| Hilger, Peter, Helena | | |
| Holecek, J. F., Lewistown | 430 @ 10 | 43.00 |
| Jensen, Walter H., Great Falls | 196 @ 10 | 19.60 |
| Knowles, S. H., Boulder | 68 @ 10 | 6.80 |
| Kruse, Albert H., Brusett | 994 @ 10 | 99.40 |
| Kuhl, Herman E., Luther | 596 @ 10 | 59.60 |
| Larsen, Leonard E., Anaconda | 196 @ 10 | 19.60 |
| Lewis, David J., Sioux Pass | 1074 @ 10 | 107.40 |
| Logan, E. U., Billings | 478 @ 10 | 47.80 |
| Lott, Mortimer J., Twin Bridges | 262 @ 10 | 26.20 |
| Love, J. B., Glendive | 928 @ 10 | 92.80 |
| McCarvel, Thos. F., Anaconda | 196 @ 10 | 19.60 |
| McDermott, Peter, Butte | 144 @ 10 | 14.40 |
| McElwain, L. C., Deer Lodge | 124 @ 10 | 12.40 |
| Manning, D. M., Hysham | 626 @ 10 | 62.60 |
| Marshall, M. R., Missoula | 238 @ 10 | 23.80 |
| Mason, George P., Helena | | |
| Metlen, Joe, Armstead | 324 @ 10 | 32.40 |
| Miles, Ben B., McLeod | 432 @ 10 | 43.20 |
| Miller, Robt. J., Lodge Grass | 662 @ 10 | 66.20 |
| Miller, Timothy, Libby | 776 @ 10 | 77.60 |
| Moss, G. M., Whitefish | 532 @ 10 | 53.20 |
| Mulholland, M. J., Butte | 144 @ 10 | 14.40 |
| Nass, J. N., Glasgow | 748 @ 10 | 74.80 |
| Nelstead, T. E., Ekalaka | 1062 @ 10 | 106.20 |
| Nutting, L. A., Laurel | 448 @ 10 | 44.80 |
| O'Connell, Jerry J., Butte | 144 @ 10 | 14.40 |
| O'Shea, Jas., Roberts | 512 @ 10 | 51.20 |
| Parker, Neil C., Creston | 498 @ 10 | 49.80 |
| Parker, W. K., Radersburg | 90 @ 10 | 9.00 |
| Pierson, Geo. W., Billings | 478 @ 10 | 47.80 |
| Pilgeram, Wm. P., Armington | 254 @ 10 | 25.40 |
| Porter, A. T., Stevensville | 294 @ 10 | 29.40 |
| Quamme, T. N., Brady | 306 @ 10 | 30.60 |
| Ragen, D. J., East Helena | 10 @ 10 | 1.00 |
| Ralston, Harry M., Glacier Park | 538 @ 10 | 53.80 |
| Rearden, John D., Great Falls | 196 @ 10 | 19.60 |
| Reardon, Ray, Anaconda | 196 @ 10 | 19.60 |
| Replogle, Bert, Lewistown | 430 @ 10 | 43.00 |
| Rognlein, I. D., Kalispell | 498 @ 10 | 49.80 |
| Roll, Fritz, Great Falls | 196 @ 10 | 19.60 |
| Rolph, H. D., Joplin | 500 @ 10 | 50.00 |
| Sadring, John E., Roundup | 438 @ 10 | 43.80 |
| Schuster, Andrew L., Avondale | 860 @ 10 | 86.00 |
| Setzer, G. W., Malta | 618 @ 10 | 61.80 |
| Shannon, Ray N., Thompson Falls | 444 @ 10 | 44.40 |
| Snidow, T. A., Billings | 478 @ 10 | 47.80 |
| Somerville, Thomas, Wilsall | 302 @ 10 | 30.20 |
| Spangler, R. W., Superior | 366 @ 10 | 36.60 |
| Sparling, Harry, Medicine Lake | 1050 @ 10 | 105.00 |
| Stephens, Guy C., Circle | 1032 @ 10 | 103.00 |
| Stevens, I Thayer, Harlowton | 298 @ 10 | 29.80 |
| Stiefel, E. A., Belgrade | 178 @ 10 | 17.80 |
| Strange, G. B., Stevensville | 294 @ 10 | 29.40 |
| Sullivan, Dan W., Butte | 144 @ 10 | 14.40 |
| Trenne, M. P., Poplar | 890 @ 10 | 89.00 |
| Ueland, Andrew, Outlook | 1120 @ 10 | 112.00 |
| Waite, W. T., Broadus | 944 @ 10 | 94.40 |
| Watson, Arthur H., White Sulphur Springs..... | 230 @ 10 | 23.00 |
| Watson, Fred, Missoula | 238 @ 10 | 23.80 |

| | | |
|------------------------------------|----------|-------------------|
| Whaley, James, Fallon | 868 @ 10 | 86.80 |
| White, B. C., Buffalo | 414 @ 10 | 41.40 |
| Wigal, E. E., Missoula | 238 @ 10 | 23.80 |
| Woodcock, J. W., Fort Benton | 284 @ 10 | 28.40 |
| TOTAL | | \$4,602.60 |

Respectfully submitted,

(SIGNED)

H. D. ROLPH
N. C. PARKER
JAMES WHALEY

MOTIONS AND RESOLUTIONS

The following Resolution was introduced, read first and second times, and, on motion of Besancon, referred to the Committee on Rules, Joint Rules and Order of Business:

"House Resolution No. 1, introduced by Pilgeram of Casacde.

"WHEREAS, It is the common knowledge of all members of this body who have had legislative experience in the past Sessions, that it is next to impossible to give the proper consideration to general appropriation bills unless same are presented in time for the members to study the various items of state expenditures to be made for the next two years, and

"WHEREAS, It is deemed necessary that all general appropriation bills be itemized in detail and each separate expenditure specified as to its purpose and amount appropriated,

"THEREFORE, BE IT RESOLVED, That the Appropriations Committee of this House, be and is, hereby directed to report all general appropriation bills to this body not later than the thirtieth legislative day."

UNFINISHED BUSINESS

A petition by David Murphy, Jr., contesting the seating of John W. Sadring of Musselshell County, was read. Moved by Besancon, that the petition, together with any other documents that may come in with reference to the same matter, be referred to the Committee on Privileges and Elections. Seconded and carried.

The Speaker announced the appointment of the Committee on Appropriations, as follows:

Appropriations Committee: Shannon of Sanders, Chairman; Arnold of Rosebud, Vice-Chairman; Rognlein of Flathead, Doran of Silver Bow, McCarvel of Deer Lodge, Duffy of Hill, Fitzstephens of Gallatin, Marshall of Missoula, Doe of Granite, Spangler of Mineral, Grabow of Park, Hagarty of Custer, Givens of Cascade, Logan of Yellowstone, Green of Dawson, Waite of Powder River, Quamme of Pondera.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Employment Committee, having had under consideration applicants for employment, beg to submit the following for foresaid positions:

Employment Committee:

Frances M. Baker, ClerkCuster

anitors:

Sam W. KoichLewis and Clark

Tom RussellDeer Lodge

Watchmen:

Bernard D. J. AndersonRichland
L. S. RiglerLewis and Clark

Speaker's Secretary:

Bess KusterRavall

Floor Leader's Secretary:

Nora Ballard

Appropriation Committee Clerk:

James GiovanittiSilver Bow

A. T. PORTER, Chairman,
Employment Committee."

On motion by Porter, duly seconded and carried, report adopted.

Besancon: I move the House adjourn until 10:00 o'clock A. M. to-morrow, Wednesday, January 4th, 1933.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRD DAY

House of Representatives,
Helena, Montana, January 4, 1933.

House met pursuant to adjournment at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except the following: Annin, Duffy
(It was explained that Mr. Duffy is ill with the flu) Harlen.

MESSAGES FROM THE SENATE

"Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following notices of the introduction of bills were this day given:"

Besancon: Moved that communications from the Senate be considered read at length and the Journal so show.

Helena, Montana, January 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of the introduction of bills were this day given:

By Garber: A Bill for an Act entitled: "An Act to amend Section 853 Revised Codes of Montana, 1921, relating to the Greater University of Montana."

By Burr: A Bill for an Act entitled: "An Act to amend paragraph 13 of Section 4916, Revised Codes of Montana, 1921, relating to the mileage of the Sheriff in serving writs, processes, orders, notices and other papers."

By Burr: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, if the taxes be paid by October 1st, 1933, and extending the time of taking tax deed to October 1st, 1933."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Kane was this day duly seconded and carried:

"I move that the rules of the Twenty-second Legislative Assembly be adopted as the temporary rules of the Senate of the Twenty-third Legislative Assembly until the adoption of the report of the Committee on Rules."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committees were this day duly elected for the transaction of business of the Twenty-third Legislative Assembly:

Committee on Committees: Senators Eaton, Staggs and Pauline.
Committee on Employment: Senators Thein, Ruffcorn and Holton.
Seating Committee: Senators Kemmis, Himsl and Parkin.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees this day reported the following selection of members to act as the Committee on Rules: Report adopted.

Senators Kane, Larson and Donovan.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees this day reported the following selection of members to act as the Committee on Journal. Report adopted:

Senators Garber, Angvick and Clarke.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction of a Resolution was this day given:

By Corwin: A Resolution ratifying the Twentieth Amendment to the Constitution of the United States.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment this day reported the selection of the following attaches to serve during the Twenty-third Legislative Session:

| | |
|--------------------------------------|------------------|
| Secretary to the President | Maud Ellsworth |
| Ass't. Secretary of the Senate | C. J. McAllister |
| Bill Clerk | Marguerite Moore |

| | |
|------------------------------------|-----------------|
| Journal Clerk | Ben Lamb |
| Secretary to Secretary | Edna Hinman |
| Ass't. Sergeant-at-Arms..... | T. J. Bushell |
| Ass't. Sergeant-at-Arms..... | M. B. Reynolds |
| Secretary to Sergeant-at-Arms..... | Elizabeth Knopf |

Stenographers

Lillian Cowan
Margaret Pearce
Alice Bruslatten
Margaret Holmes

Doorkeepers

B. N. Stoney
Ed Wolverton

| | |
|----------------|---------------|
| Janitor | Paul Smith |
| Watchman | M. L. Chaffin |

Elevator

Margaret Ehlers
Clara Reece

Pages

Charles Miles
Earl Gooley

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees this day reported the Selection of the following Standing Committee. Report adopted:

Committee on Mileage and Per Diem: Senators Galt, Church and Rowland.

Committee on State and Country Economies: Special Committee of seven members to be selected. Referred to Committee on Rules.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day given:

By Burr: A Bill for an Act entitled: "An Act to amend Section 4482 of the Revised Codes of Montana, 1921, regarding contracts for County printing as amended by Chapter 10 of the Laws of the Twenty-first Legislative Assembly of 1929."

By Burr: A Bill for an Act entitled: "An Act to amend Section 4884 of the Revised Codes of Montana, 1921, and Chapter 80, Session Laws of the Eighteenth Legislative Assembly, 1923, relating to the mileage of all officers and to the charge allowed for the use of private automobiles in the discharge of official duty."

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS

Shannon, Chairman of Committee on Appropriations, requested unanimous consent to introduce a bill without previous notice. No objection.

The following bill was introduced without previous notice, read first and second times at length and referred to the Committee on Appropriations:

A Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-third Legislative Assembly; per diem to the officers and attaches and for incidental expenses of the Twenty-third Legislative Assembly of the State of Montana."

Besancon moved that the printing committee be authorized to order and have printed 200 copies of the House Rules, Joint Rules and Order of Business. Seconded and carried.

Shannon: I move that the Appropriations Committee be vested with authority to appoint a sub-committee from their committee to act as an authority over all expenditures of the Sergeant-at-Arms, this Committee to audit and order all expenditures and authorize all purchases by the Sergeant-at-Arms. Seconded and carried.

The Speaker announced the appointment of the following committee:

Journal Committee: Duffy of Hill, Chairman; Rognlien of Flathead, Vice-chairman; Marshall of Missoula.

Haight of Fergus, called to the chair.

House recessed until 11:00 o'clock.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations reported on House Bill No. 1, as follows:

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 1, a Bill for an Act entitled: "An Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-third Legislative Assembly; per diem to the officers and attaches and for incidental expenses of the Twenty-third Legislative Assembly of the State of Montana" respectfully report as follows: That House Bill No. 1 do pass.

SHANNON, Chairman.

Moved by Shannon that the report be adopted. Motion seconded and carried.

Moved by Shannon that House Bill No. 1 be considered correctly printed and placed on General Orders. Seconded and carried.

Besancon: Move that the House resolve itself into a Committee of the Whole for consideration of General Orders. Duly seconded and carried.

CONSIDERATION OF GENERAL ORDERS

Besancon in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

Mr. Speaker: We, of the Committee of the Whole House, having had under consideration House Bill No. 1, report as follows: That House Bill No. 1, do pass.

BESANCON, Chairman,
Committee of the Whole.

Moved by Besancon that the report of the Committee of the Whole be adopted. Carried.

MOTIONS AND RESOLUTIONS

Shannon: I move that House Bill No. 1, be considered correctly engrossed and placed on the calendar for Third Reading. Seconded and carried.

THIRD READING OF HOUSE BILLS

House Bill No. 1, introduced by Committee on Appropriations, having been read three several times, the title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green, Groene, Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlein, Roll, Rolph, Sadring, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 96.

Noes: Replogle. Total 1.

Absent and Not Voting: Harlen, Sullivan, Woodcock, Annin, Pierson.
Mr. Speaker: House Bill No. 1 has passed the House.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent day introduce bills as follows:

By Replogle and Ballard: A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of the State of Montana of 1921, as amended by Chapter III of the Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to mileage and expenses of sheriffs and other county officials."

By Groene: A Bill for an Act entitled: "An Act to permit owners of real estate deprived of their property by tax deed to repurchase the same, providing the terms and conditions thereof and repealing all Acts and parts of Acts in conflict therewith."

By Parker (Flathead): A Bill for an Act entitled: "An Act to amend Section 662 Revised Codes of Montana, 1921, as amended by Chapter 34, of the Session Laws of 1929, and relating to county and city central committees and their powers and providing for two county central committeemen, one a man and one a woman, for each county precinct, and two such state central committeemen, one a man and one a woman, from each county."

At the request of Besancon, the Committee on Employment was excused for the remainder of the day.

Besancon moved that the House recess until 2 o'clock this afternoon. Carried.

AFTERNOON SESSION

House resumed at 2 o'clock, P. M.

Mr. Speaker in the Chair.

Logan of Yellowstone: We have with us at this time the Honorable Judge O. F. Goddard of Billings, a member of the Constitutional Convention of the State.

Mr. Speaker: I will appoint the gentleman from Yellowstone, and Hilger of Lewis and Clark to escort the distinguished gentleman to the Chair.

NOTICES

Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day, introduce a bill entitled:

A Bill for an Act entitled: "An Act to amend Section 74 of the Revised Codes of Montana, 1921, relating to per diem and mileage of members of the Legislative Assembly."

TRENNE
KNOWLES

Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day, introduce a bill entitled:

A Bill for an Act entitled: "An Act to amend Section 12 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana as amended by, and also to amend, Chapter 163 of the Session Laws of the Twenty-first Legislative Assembly and to amend Section 45 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly all of said State, relating to the powers, duties and reports of Building and Loan Associations and to permit such associations to subscribe to the stock of, borrow money from, pledge their securities to, conform to the Laws creating and become members of the Federal Home Loan Banks of the United States.

BESANCON.

Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day, introduce a bill entitled:

A Bill for an Act entitled: "An Act to amend Section 16 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the bonds of officers, agents and employees of Building and Loan Associations.

BESANCON.

Besancon moved to adjourn until Thursday morning, January 5, 1933, at 10:00 A. M.

Motion seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FOURTH DAY

House of Representatives,
Helena, Montana, January 5, 1933.

House met pursuant to adjournment at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except Annin and Parker of Broadwater.

NOTICES

Nutting of Yellowstone gave notice that he will on tomorrow or some subsequent day introduce a bill entitled:

A Bill for an Act entitled: "An Act amending Section 3696 of the Revised Codes of Montana of 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of Montana, 1925, and Chapter 59

of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, relating to open season for elk; providing for the killing and sale of elk doing damage to pasture, hay, crops or feed for domestic animals on real estate of a bona fide owner or lessee outside of the boundaries of any national forest, granting power and authority to State Fish and Game Commission to prescribe rules, regulations and conditions to prevent damage by elk; to change or suspend closed season on elk, and to suspend and set aside the maximum limit of elk one may kill in a season in such cases."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the following motion by Besancon to-wit:

MOTION

"I move that Rule thirty-five (35) of the House Rules be amended and readopted to read as follows:"

RULE 35

Introduction of Bills

"1. No bill for the appropriation of money except for expenses of State Government, shall be introduced within ten days of the close of the Session, except by unanimous consent. This rule shall not be suspended.

2. No member shall introduce more than two bills in one day and not more than three bills during the Session. This rule shall not affect the rights of standing and select committees to introduce bills.

3. No bills may be introduced after the 40th day, except substitute bills for bills pending."

Respectfully report as follows: That said motion be amended by striking out the word "three" in line two of subdivision two thereof, and inserting the word "five," and that as so amended we respectfully report and recommend that said motion do pass.

BESANCON, Chairman."

Besancon: Moved that action on report be deferred until tomorrow, as a member who is absent wishes to be heard on motion. Seconded and carried.

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration House Resolution No. 1, introduced by Pilgeram, respectfully report as follows: That said Resolution be amended by striking out the word "thirtieth" in the last line thereof, and inserting the word "fortieth" and that as so amended we recommend that said Resolution do pass.

BESANCON, Chairman."

Besancon: Move the adoption of the report. Seconded and carried.

MESSAGES FROM THE SENATE

Helena, Montana, January 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment this day selected the following attaches to serve during the Twenty-third Legislative Session, report adopted:

Printing Clerk Mrs. Emma Ingalls
Assistant Printing Clerk E. P. Wiley

Doorkeeper Norman Bruce
 Stenographers Stella Olson, Sara Flynn
 Mailing Clerk Chas. H. Mahoney

Respectfully,

J. F. CONE,
 Secretary.

Helena, Montana, January 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day given:

By Wass and Page: A Bill for an Act entitled: "An Act repealing Chapter 189, Session Laws of the Twenty-second Legislative Assembly of 1931, relating to state egg grading laws."

By Page and Wass: A Bill for an Act entitled: "An Act repealing Section 59 of Chapter 39 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to the grading of milk and cream."

Respectfully,

J. F. CONE,
 Secretary.

Helena, Montana, January 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Parkin was this day unanimously adopted:

"I move the Industrial Accident Board be instructed to furnish this Senate with a statement showing the income and disbursements of each department and that this report be placed on the desks of the Senate not later than January 18th, 1933."

Respectfully,

J. F. CONE,
 Secretary.

Helena, Montana, January 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Rules this day reported as follows, report adopted:

"We, your Committee on Rules, recommend as follows: That Rule fifteen be amended as follows: That Number 2 be entirely stricken and that the following be added: No. 2—Committee on State and County Economies—Membership 9."

Respectfully,

J. F. CONE,
 Secretary.

Helena, Montana, January 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment this day reported the selection of the following attaches for the Twenty-third Legislative Assembly:

Stenographers..... Nell Stubblefield, Catherine Spear, Josephine Daly
 Doorkeeper Fred Valiton
 Page Jack Parr

(Substitute for Gerald Crowley)

Assistant Journal Clerk..... Ed. T. Brennan

Respectfully,

J. F. CONE,
 Secretary.

Helena, Montana, January 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following bills were this day introduced in the Senate, read first and second time and referred to committees:

S. B. No. 1, by Garber: A Bill for an Act entitled: "An Act to amend Section 853, Revised Codes of Montana, 1921, relating to the Greater University of Montana." Committee on Education.

S. B. No. 2, by Burr: A Bill for an Act entitled: "An Act to amend Paragraph 13 of Section 4916, Revised Codes of Montana, 1921, relating to the mileage of the sheriff in serving writs, processes, orders, notices and other papers." Committee on Judiciary.

Senate Joint Resolution No. 1, by Corwin: A Joint Resolution ratifying an amendment to the Constitution of the United States fixing the commencement of the terms of President, Vice-President and members of Congress, and fixing the time of the assembling of Congress. Committee on Constitutional Amendments.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees, this day reported the following selection of Standing Committees, report adopted:

Committee on Counties and Towns: Thien, Chairman; Clarke, Vice-Chairman; Kalberg, Kaulbach, Parkin, Wheeler, Hennessy, Putnam, Wass.

Committee on Insurance: Parkin, Chairman; Thien, Vice-Chairman; Simmons, Wheeler, Church, Plumer, Willis.

Committee on Education: Eaton, Chairman; Parkin, Vice-Chairman; Holton, Simmons, Duncan, Garber, Plank.

Committee on Engrossed Bills: MacGilvra, Chairman; Himsl, Plumer.

Committee on Judiciary: Campbell, Chairman; Rowland, Vice-Chairman; Husband, Ruffcorn, Simmons, Lamp, Duncan, Walker.

Committee on Banks and Banking: Himsl, Chairman; Galt, Vice-Chairman; Campbell, Corwin, Larson, Duncan, Kilduff, Plumer, Walker.

Committee on Agriculture: Kemmis, Chairman; Angvick, Vice-Chairman; Kalberg, Kelsey, MacGilvra, Staggs, Danielsens, Holt, Wass.

Committee on Enrolled Bills: Clarke, Chairman; Angvick, Kaulbach.

Committee on State and County Economies: Larson, Chairman; Kane, Vice-Chairman; Campbell, Pauline, Ruffcorn, Staggs, Burr, Clifford, Sparling.

Committee on Printing: Galt, Chairman; Carroll, Armstrong.

Committee on Federal Relations: Ekegren, Chairman; Coburn, Corwin, Armstrong, Melton.

Committee on Fairs and Expositions: Rowland, Chairman; Campbell, Kemmis, Church, Murphy.

Committee on Judicial Districts: Coburn, Chairman; Lamp, Staggs, Armstrong, Kilduff.

Committee on Public Lands: Holton, Chairman; Jergensen, Vice-Chairman; Angvick, Harris, Thien, Holt, Putnam, Sparling, Wass.

Committee on Finance and Claims: Pauline, Chairman; Staggs, Vice-Chairman; Eaton, Reed, Thien, Jergensen, Church, Plank, Donovan.

Committee on Taxation: Ruffcorn, Chairman; Holton, Vice-Chairman; Angvick, Galt, Cooper, Kelsey, Garber, Page, Sparling.

Committee on Public Morals: Kalberg, Chairman; Clarke, Harris, Delaney, Sparling.

Committee on Public Buildings: Wheeler, Chairman; Himsl, Kemmis, Parkin, Keeley, Page, Willis.

Committee on Horticulture: MacGillvra, Chairman; Angvick, Kane, Carroll, Garber.

Respectfully,

J. F. CONE,
Secretary.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the first and second Legislative days, find the same to be correct.

ROGNLIEN, Vice-Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Employment Committee, having had under consideration applications for employment, beg to submit the following for aforesaid positions:

Janitor:

| | |
|----------------------|-----------------|
| George Klei | Lewis and Clark |
| Russell Mellen | Granite |

Elevator Operator:

| | |
|---------------------|---------|
| Walt Valacich | Cascade |
|---------------------|---------|

Watchman:

| | |
|------------------------|--------|
| Russell Loveland | Fergus |
|------------------------|--------|

Engrossing Clerk:

| | |
|-------------------|---------|
| Marie Hayes | Cascade |
|-------------------|---------|

Stenographers:

| | |
|----------------------------|------------|
| Winifred Morris | Flathead |
| Katherine Harrington | Silver Bow |
| Hilda Richeson | Carbon |

A. T. PORTER, Chairman,
Employment Committee."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Employment Committee, having had under consideration applicants for employment, beg to submit the following for aforesaid positions:

Chief Clerk's Secretary:

| | |
|---------------------------|-----------------|
| Ruth Benson Alquist | Lewis and Clark |
|---------------------------|-----------------|

Assistant Engrossing Clerk:

| | |
|--------------------|---------|
| Shebal Rehal | Liberty |
|--------------------|---------|

(This appointment was made with the provision that his name would be withheld from the pay roll until his services are required.)

Clerk to Sergeant-at-Arms:

| | |
|--------------------|------|
| Jean Mensing | Hill |
|--------------------|------|

Stenographers:

| | |
|---------------------------|-------------|
| Alice Dullenty | Yellowstone |
| Pearl Kirby | Silver Bow |
| Margaret Mulholland | Silver Bow |
| Claire Trousdale | Yellowstone |

| | |
|---------------------|----------|
| Ruby Miller | Garfield |
| Bessie Lynch | Mineral |
| Miss K. Roche | Flathead |

Watchman:

John Ahues Lewis and Clark

A. T. PORTER, Chairman,
Employment Committee."

On motion of Porter, report adopted.

Besancon: "A group that yesterday addressed the Honorable Senate, has asked for the use of the House Chambers after recess, and I move that the committee from that group of people be allowed to use the House Chambers for a period of not exceeding one-half hour after we recess, under such rules and restrictions as the Speaker may give them when they come in, and that the remainder of the group be allowed the use of the gallery during that same period of time."

Motion seconded by Beadle. Carried.

The Speaker: The House will be in recess at the call of the Chair.
House resumed.

Mr. Speaker in the Chair.

Recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

Moss of Flathead called the attention of the House to the death of Calvin Coolidge, former President of the United States, and moved that the House, out of tribute to his memory, adjourn until 10:30 o'clock Friday morning. Motion seconded by Besancon and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTH DAY

House of Representatives,
Helena, Montana, January 6, 1933.

House convened, pursuant to adjournment, at 10:30 A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except Annin and Strange.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the third Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

On motion by Rognlien, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom was referred H. B. No. 1, do report that H. B. No. 1 is correctly enrolled.

M. J. MULHOLLAND, Vice-Chairman,
Enrolling Committee."

On motion by Mulholland, report adopted.

"Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following for aforesaid positions:

Assistant Sergeant-at-Arms:

J. W. Arnold Gallatin

Elevator Operator:

R. J. Secora McCone

Doorkeeper:

Robert Culbertson Chouteau

Doorkeeper in Balcony:

Cain Connors Silver Bow

Stenographer:

Margaret Lee Silver Bow

The following appointments were made with the provision that their names be withheld from the pay roll until their services are required:

Stenographer:

Julia O'Connell Silver Bow

Proof Readers:

George W. Dart Beaverhead

Vera Smith Roosevelt

Clerk of Judiciary Committee:

Betty Prentice Cascade

Enrolling Clerk:

Laura Winkler Granite

A. T. PORTER, Chairman,
Employment Committee."

On motion by Porter, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

State of Montana
Office of the Governor
at Helena

January 4, 1933.

"The Speaker,
House of Representatives,
Helena:

Complying with the provisions of the Constitution, I have the honor to transmit herewith a report of the pardons and commutations of sentence granted since the time of the report to the Twenty-second Legislative Assembly.

J. E. ERICKSON,
Governor."

Moved by Besancon that this message be considered read at length and that the Journal so show.

REPORT OF PARDONS, COMMUTATIONS AND REMISSIONS OF FINES, 1931-1932

Pardons

GUSTAVE NYGREN—Blaine County; grand larceny; sentenced February 7, 1930; one year. A pardon was necessary to prevent the young man's deportation by Federal authorities. His parents and all relatives

lived in Blaine County, and clemency was recommended by judge, county attorney and many officials and citizens. Pardon granted January 15, 1931.

FRED G. RUNKEL—Missoula County; destroying insured property; sentenced March 19, 1923, to one to two years; later was paroled and restored to citizenship. Afterwards he was arrested in California on a charge of forgery and also charged with prior conviction in Montana. California authorities found that the forgery charge was groundless, but the charge of prior conviction could not be dismissed without a full pardon from this state. To clear his record the pardon was granted January 28, 1931.

CLARENCE WALDIE and CARL SMITH—Jefferson County; violation of game laws; former sentenced to 60 days in county jail and fined \$200; latter to five months and fined \$100. The men had served a considerable part of the sentences, and on recommendation of County Attorney, Sheriff and Game Warden, pardon was granted March 23, 1931.

JOHN WICKS—Jefferson; murder in second degree; sentenced March 24, 1927, to 15-30 years. The prison physician certified Wicks was in the last stages of consumption and in order that he might not be a menace to the health of others he was pardoned on June 10, 1931.

FRANK GUSTIN—Phillips County; grand larceny; sentenced March 30, 1929; four years. Many petitioners asked clemency for him and on June 13, 1931, a pardon was granted on condition that Gustin leave the state and never return.

JOE WISE alias GUY FISHER—Jefferson County; grand larceny; two years. It later developed that Wise was only 17 years old at the time, and on recommendation of the Judge a pardon was granted June 13, 1931.

ARTHUR CARLSON—Sanders County; grand larceny; one year; sentenced April 14, 1931. The County Attorney recommended clemency, as Carlson had borne an unblemished reputation and had been led into trouble by an older person. Pardon issued June 18, 1931.

MATT GARDNER—Deer Lodge County; drunkenness and disturbing the peace; sentenced in April, 1931, to six months in county jail. On recommendation of County Attorney pardon was granted June 24, 1931.

ELLIS JOHNS—Stillwater County; murder; sentenced for life on September 23, 1930. Application for pardon supported by letters from Judge and petitions from citizens of the county, and a certificate from the physician that Johns was in very ill health. Pardoned July 9, 1931.

CHARLES LANHAM alias CHARLES LAHUM—Cascade County; second degree robbery; sentenced to two years September 4, 1931. The Governor of Minnesota made requisition for the extradition of Lahum, wanted there for a much more serious crime, and in order that he might be taken there for trial, pardon was granted September 21, 1931.

FRED AUGUSTSON—Granite County; petit larceny; sentenced in a Justice's Court September 10, 1931, to six months in county jail. He was charged with having stolen nine dollars' worth of groceries. He had served 60 days, had never been in trouble before, and there seemed reason to doubt his guilt. The Justice, Sheriff and County Attorney recommended a pardon and this was issued November 14, 1931.

LOUIS TEGGE—Prairie County; forgery; five years; June 16, 1930. On certificate of the prison physician that Tegge was suffering from goiter, from which he could not recover without an operation, he was pardoned February 29, 1932, so that he might have the proper attention.

ALFRED KEIN—Glacier County; third degree assault; April 6, 1932; three months in county jail. The trouble arose out of a range dispute. He was an old and respected citizen and on recommendation of Judge and County Attorney, pardon was granted September 15, 1932.

JACK GOFORTH—Madison County; selling liquor to minors; April 13, 1932; one year in county jail and fined \$500. Because the man was

60 years old, his family a public charge and his health breaking down, the County Attorney recommended a pardon and this was granted September 29, 1932.

GUYLES LYONS—Cascade County; murder; December, 1924; life. Lyons was but a boy at the time of the crime and had borne an excellent reputation. In the belief that imprisonment had given him a valuable lesson, a pardon was granted November 23, 1932.

Commutations

FREDRICK ALLEN CLEMENT—Richland County; grand larceny; July 21, 1929; five years. On recommendation of Judge sentence was reduced to three years on February 7, 1931.

JOHN C. BUTLER and **E. L. DUFFEY**—Missoula County; burglary; June 19, 1930; four years; Butler was only 18 years old and Duffey 19, and had never been away from home and were stranded and without means. They pleaded guilty. County Attorney recommended clemency and on February 19, 1931, their sentences were cut to 1½ years.

MARTIN ERNST—Lake County; bank robbery; September 3, 1929; five years. Because of his assistance in bringing the principals in the robbery to justice, and on recommendation of the County Attorney, sentence was commuted March 13, 1931, to three years.

EMMETT COPPEDGE—Fergus County; burglary; May 14, 1930; three years. Boy was only 19 and was caught in bad company. On recommendation of Judge, County Attorney and other officials, sentence was commuted March 13, 1931, to 1½ years.

GEORGE PLEYER—Phillips County; burglary; February 19, 1930; four years. Pleyer had pleaded guilty but the Judge later came into possession of information that caused him to recommend clemency. Commuted March 21, 1931, to two years.

JOHN FRANKS and **W. C. STEPHENSON**—Dawson County; robbery; October, 1929; five years. They were young men of good families in Oklahoma and on recommendation of the Judge, sentences were commuted to three years on March 25, 1931.

GOLIN McKENZIE—Rosebud County; selling liquor to minors; July, 1930; one year in county jail and fined \$500. His physician certified McKenzie's health was precarious and veterans' organizations were trying to have him removed to the Veterans' Hospital at Helena. On this showing on March 30, 1931, sentence was commuted to nine months and fine remitted.

LOUIS HOPPE and **PAUL EMMLY**—Blaine County; grand larceny; December 26, 1929; five years. The men had been in prison a year and four months and their families were destitute. On April 24, 1931, sentences were commuted to 2½ years.

ARNOLD HAALAND—Yellowstone County; rape; February 6, 1929; 5-10 years. It was shown that Haaland was afflicted with goiter and had incipient tuberculosis and on recommendation of Warden and physician, sentence was on May 6, 1931, commuted to 4-8 years.

OSCAR JORGENSEN—Yellowstone County; burglary; June 8, 1930; three years. On statements by Judge and County Attorney sentence was commuted May 19, 1931, to two years.

ELMER HINCHEY—Wheatland County; grand larceny; June 30, 1929; six years. On July 9, 1931, sentence was cut to four years on recommendation of Judge and County Attorney.

JOHN T. BARKER—Lewis and Clark County; felony; April 19, 1929; 5-10 years. Barker was getting along in years, had formerly borne an excellent reputation in his community, and on recommendation of County Attorney, sentence was on July 9, 1931, cut to 4-8 years.

F. S. JOHNSON—Phillips County; forgery; February 6, 1930; seven years. Judge, County Attorney and many petitioners asked clemency and on August 1, 1931, sentence was commuted to three years.

RICHARD PICKETT—Yellowstone County; grand larceny; November 20, 1929; seven years. Judge felt sentence was unduly severe and asked commutation, and on August 1, 1931, sentence was cut to four years.

JACK WHITE—Silver Bow County; robbery; December 12, 1929; four years. Because of Warden's statement as to prisoner's very ill health, sentence was on August 22, 1931, reduced to three years.

ARTHUR POPHAM—Yellowstone County; burglary; May 8, 1929; six years. On statement of Judge, sentence was cut to four years September 20, 1931.

AL KOEPNICK—Yellowstone County; grand larceny; November 20, 1929; seven years. On statements of Judge and County Attorney sentence was cut to four years on September 19, 1931.

T. C. ALLAN—Pondera County; grand larceny; April 22, 1930; five years. On showing made by County Attorney and many petitioners, sentence was on September 19, 1931, reduced to three years.

JOHN ZAGORAC—Rosebud County; second degree murder; June 29, 1925; 20-40 years. On recommendation of County Attorney sentence was commuted September 19, 1931, to 12-14 years.

RAFAEL CASAREZ—Yellowstone County; murder; February 14, 1926; life. Sentence commuted September 19, 1931, so that immigration authorities might deport the prisoner to Mexico.

HERRERO ANTONIO—Yellowstone County; robbery; September 7, 1925; 15-30 years. Federal authorities asked commutation so that Herrero might be deported to Mexico and on September 20, 1931, commutation was granted on condition that he never return to this country; cut to 5½-11 years.

EARL GROW—Richland County; grand larceny; January 27, 1931; 2½ years. In the belief that Grow had learned his lesson sentence was on September 20, 1931, commuted to 1½ years.

LLOYD WILLIAMS—Cascade County; obtaining money under false pretenses; September 2, 1931; one year. It was shown that Williams was an epileptic and in ill health, and as he had relatives in Utah who were ready to care for him, sentence was on October 22, 1931, cut to four months.

S. C. WERD—Park County; first degree burglary; March 19, 1931; two years. The Judge felt the sentence was too severe and on his recommendation sentence was on November 5, 1931, reduced to one year.

JESSE CAMPBELL—Broadwater County; burglary; January 31, 1931; three years. Clemency recommended by Judge and County Attorney and many petitioners, sentence commuted to one year on November 5, 1931.

JOHN GRIFFIN—Yellowstone County; rape; June 1920; 35-70 years. He was more than 60 years old and in very poor health, and upon recommendation of Warden and Physician sentence was reduced Nov. 13, 1931, to 20-40 years.

FREDERICK BODEN—Madison County; second degree murder; Jan. 19, 1922; 25-50 years. Boden had reached the age of 75 years and was suffering from cancer and on Physician's certificate and Warden's recommendation, sentence was reduced Nov. 13, 1931, to 20-40 years.

WILLIAM E. LETTERMAN—Madison County; grand larceny; Nov. 16, 1930; five years. It appearing that no very serious offense was committed and no one lost anything by the transactions alleged against him, on Nov. 20, 1931, sentence was cut to two years.

DONALD FOSTER—Lewis and Clark County; rape; April, 1924; 20-40 years. On statements of Judge and County Attorney, sentence was on November 20, 1931, cut to 15-30 years.

HARRY McCANN—Silver Bow County; robbery; Dec. 28, 1929; five years. On County Attorney's recommendation sentence was reduced to four years on Jan. 11, 1932.

C. C. MERCER—Prairie County; rape; Jan. 23, 1923; 20-40 years. Because of the inroads of disease upon the prisoner and the desire of a son to take care of him at home, sentence was commuted on Feb. 5, 1932, to 18-36 years.

TOM and PERRY STEVENS—Hill County; perjury; Dec. 8, 1929; ten years. Both men had families who were in destitute condition and feeling that the prisoners had learned the lesson sought to be taught, their sentences were on Feb. 19, 1932, cut to four years.

LAVERN KILFOY—Yellowstone County; robbery; March 4, 1930; five years. The Judge thought the sentence too severe and upon his recommendation the term was reduced to three years on Feb. 29, 1932.

TOM STITTS—Judith Basin County; robbery; October, 1923; 20-40 years. The Judge recommended clemency and sentence on March 11, 1932, was cut to 17-34 years.

C. P. COURTRIGHT—Carbon County; second degree murder; Oct. 31, 1929; ten years. Judge and County Attorney and many petitioners urged clemency, and sentence was cut to five years on March 15, 1932.

EDDIE KAPSTAFER—Cascade County; involuntary manslaughter; Sept. 24, 1931; two years. Because of prisoner's youth and recommendation of County Attorney and other officers sentence was on April 2, 1932, cut to one year.

LEO BRINDLE—Flathead County; forgery; Sept. 23, 1929; ten years. He forged a check for \$5. Consideration was recommended by the County Attorney and many petitioners and on April 2, 1932, sentence was commuted to five years.

ROBERT MORSE—Big Horn County; first degree burglary; March, 1926; 15-30 years. Because of prison physician's statement as to Morse's health, sentence was commuted to 6-12 years on April 19, 1932.

RALPH STROME—Judith Basin County; second degree burglary; September, 1931; two years. Strome was only 17 years old and in order that he should not be kept in State prison longer, sentence was on May 3, 1932, cut to one year.

ROY CAMPBELL—Broadwater County; first degree burglary; Jan. 31, 1931; five years. His wife and three children were objects of charity in the home county and on petition of many of his neighbors, sentence was on Sept. 6, 1932, reduced to three years.

CLAYTON HOFFHINE—Deer Lodge County; grand larceny; Dec. 30, 1931; 3½ years. County Attorney recommended clemency and on Nov. 23, 1932, sentence was reduced to two years.

Fines Remitted

ELLIS P. CLARK—Hill County; giving liquor to minor; May 25, 1930; one year in jail and fined \$500. He had served his jail term and being without funds wherewith to pay fine, the same was remitted June 10, 1931.

NG CHAN—Silver Bow County; possessing narcotics; June 25, 1930; one year in State prison and fine \$500. Prison sentence had been served and nearly six months of his fine, and on recommendation of the Warden the unserved portion of the fine was remitted June 18, 1931.

LEUNG LING—Silver Bow County; possessing narcotics; Nov. 25, 1930; one year and fined \$500. Having no money with which to pay the fine and being offered work by his former employer, his fine was remitted on June 18, 1931.

ALVIN VREKKE and ROBERT CALLAHAN—Blaine County; giving liquor to minors; six months in jail and fined \$300 each. They had served the jail sentences and having no money with which to pay their fines the County Attorney's recommendation was followed and the fines were remitted October 22, 1931.

JAMES B. DAWSON—Granite County; trespass on a mining claim; August, 1931; 30 days in jail and fined \$250. Dawson had served his jail term and 72 days on the fine. On petition of County Attorney and other officials the unserved portion of the fine was remitted Nov. 24, 1931.

A. E. WINTER—Cascade County; carrying concealed weapons; Nov. 4, 1931; 60 days in jail and fined \$500. He had served the jail term and near one month of the fine. On the County Attorney's statement the unserved portion of the fine was remitted on Jan. 23, 1932.

FAY CHRISTIE—Silver Bow County; possessing cocaine; Feb. 10, 1932; one year in State prison and fined \$500. On recommendation of the County Attorney, the fine was remitted on Sept. 26, 1932.

Transmitted

GEORGE SMITH—Yellowstone County; burglary; Sept. 17, 1932; two years. It appearing that the prisoner is only 16 years old, his sentence was on November 28, 1932, commuted to confinement in the State Industrial School.

State of Montana
Office of the Governor
At Helena

January 4, 1933.

"The Speaker,
House of Representatives,
Helena:

Complying with the terms of Chapter 69, Laws of the Twenty-second Legislative Assembly (House Bill No. 214), I appointed the following to constitute the Special Irrigation Commission of the State of Montana, the Attorney General and State Engineer being made ex-officio members:

T. O. Larson of Teton County, George R. Metlen of Beaverhead County, M. M. Duncan of Madison County, Desmond J. O'Neil of Dawson County, H. E. Murdoch of Gallatin County, W. L. Murphy of Missoula County, and John Survant of Phillips County.

The term of this Commission expired on the first day of November, 1932. No report was filed with me by that body, but Mr. James, the State Engineer, submitted a communication explaining the situation, and this I am herewith transmitting to your Honorable Body.

J. E. ERICKSON,
Governor."

State of Montana
State Engineer
Helena, Montana

November 1, 1932.

"The Governor of Montana,
John E. Erickson,
Capitol Building.

Sir:

As Chairman of "an Irrigation and Water Right Code Commission" created by Chapter 69 of the Session Laws of 1931, I beg to report as follows:

No meeting of this Commission has been held. There being no appropriation or other provision for paying travel and other expenses of the members, it seemed impracticable to attempt to hold such a meeting.

Through conference and correspondence with the other members of the Commission, it was learned that few, if any, could attend such a meeting and therefore no formal call was issued.

I have personally made some study of the water right laws and considerable work has been done by the irrigation committee of "Montanans Incorporated" on the irrigation district laws. The results of these studies will be incorporated in the biennial report of this office.

As to the report of this Commission, it is concluded: That the subject of water right law is so involved and intricate it is unprepared to make recommendations for the revision or recodification of the present statutes and: that such recommendations would necessarily be based on an exhaustive study of the subject which this Commission has been unable to make; that in regard to irrigation district law, the same conditions obtain and: that no recommendation as to legislation can be made.

Very respectfully submitted,

J. S. JAMES, Chairman,
Irrigation and Water Right Code Commission."

SENATE MESSAGES

Besancon: Moved that the messages from the Senate be considered read at length and that the Journal so show. Seconded and carried.

Helena, January 5, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction of bills were this day received:

By Page: A Bill for an Act entitled: "An Act to amend Chapter 182 of the Laws of the Twenty-first Legislative Assembly of 1929, relating to distribution of registration fees of motor vehicles."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 5, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day introduced in the Senate, without previous notice by unanimous consent, read first and second time and referred to Committee on Banks and Banking:

By Pauline: A resolution requesting that a committee be immediately appointed to confer with a like committee from the House and the Governor, relative to meeting the present emergency arising respecting the payment of mileage and per diem of members and employees of the Twenty-third Legislative Assembly.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 5, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by Appropriations Committee, was this day read three several times and concurred in, title agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 5, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, House Bill No. 1, recommends that the same be concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 5, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Committees this day reported the selection of Standing Committees as follows: Report adopted.

Committee on Stock Growing and Grazing: Harris, Chairman; Larson, Vice-Chairman; Corwin, Ekegren, Kelsey, Galt, Armstrong, Hennessy, Melton.

Committee on State Boards and Offices: Corwin, Chairman; Ekegren, Kaulbach, Delaney, Murphy.

Committee on Railroads and Transportation: Staggs, Chairman; Pauline, Vice-Chairman; Corwin, Harris, Church, Clifford, Walker.

Committee on Roads and Highways: Husband, Chairman; Cooper, Vice-Chairman; Carey, Kalberg, Kemmis, Rowland, Danielsen, Holt, Putnam.

Committee on Sanitary Affairs: Kaulbach, Chairman; Danielsen, Delaney.

Committee on Labor and Capital: Simmons, Chairman; Keeley, Vice-Chairman; Kane, Burr, Clifford, Page, Willis.

Committee on Libraries: Carey, Chairman; Keeley, Parkin.

Committee on Sanitary Affairs: Kane, Chairman; Husband, Clifford, Danielsen, Wass.

Committee on Corporations other than Municipal: Kaulbach, Chairman; Keeley, Wheeler, Burr, Melton, Murphy, Page.

Committee on Dairies and Dairying: Angvick, Chairman; Lamp, Vice-Chairman; Carey, Jergensen, Kane.

Committee on Elections and Privileges: Clarke, Chairman; Simmons, Vice-Chairman; Plank, Donovan.

Committee on Apportionment and Representation: Kelsey, Chairman; Keeley, Kilduff.

Committee on Aviation: Willis, Chairman; Campbell, Rowland, Holt, Walker.

Committee on Compensation: Keeley, Chairman; Pauline, Clifford, Walker, Duncan.

Committee on Constitutional Amendments: Lamp, Chairman; Holton, Burr.

Committee on Fish and Game: Cooper, Chairman; Rowland, Vice-chairman; Carey, Eaton, Harris, MacGilvra, Reed, Armstrong, Willis.

Committee on Irrigation: Carroll, Chairman; MacGilvra, Wheeler, Hennessy, Putnam.

Committee on Irrigation and Water Rights: Jergensen, Chairman; Ekegren, Vice-Chairman; Carroll, Clarke, Reed, Husband, Hennessy, Plumer, Putnam.

Committee on Mines and Mining: Reed, Chairman; Cooper, Melton, Murphy, Page.

Committee on New Counties and Divisions: Kalberg, Chairman; Carroll, Vice-Chairman; Coburn, Kelsey, Delaney.

Committee on Oil and Leases: Donovan, Chairman; Holton, Vice-Chairman; Coburn, Himsl, Kalberg, Kilduff, Burr.

Respectfully,

J. F. CONE,
Secretary.

REPORTS OF STANDING COMMITTEES

Besancon: Move to defer action on the report on the Committee on Privileges and Elections until Monday at two P. M. Seconded and carried.

Moved by Moss: "That no letters, circulars, pamphlets or other communications intended to influence a member for or against any measure, shall be placed upon the desks of the House Members, or in the Chamber or corridors of the House, without the approval of the Speaker, Floor Leader or Sergeant-at-Arms, and unsigned matter not showing person or persons responsible for same, shall not be distributed." Seconded and carried.

Moved by Besancon: I move that the Speaker be authorized to appoint a special committee of three (3) members, whose duty shall be to visit and express the felicitations of the House to any member who may be absent on account of illness or other incapacity. Motion seconded and carried.

Besancon: Move that the House now take up for consideration the report on the Committee on Rules, Joint Rules and Order of Business, relating to the number of bills which members may introduce. Seconded and carried.

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the following motion by Besancon, to-wit:

"MOTION

I move that Rule Thirty-five (35) of the House Rules be amended and readopted to read as follows:

RULE 35

Introduction of Bills

1. No Bill for the appropriation of money except for expenses of State Government, shall be introduced within ten days of the close of the Session, except by unanimous consent. This rule shall not be suspended.

2. No member shall introduce more than two bills in one day and not more than three bills during the Session. This rule shall not affect the rights of standing and select committees to introduce bills.

3. No Bills may be introduced after the 40th day except Substitute Bills for Bills pending."

respectfully report as follows: That said motion be amended by striking out the word "three" in line two of subdivision two thereof and inserting the word "five" and that as so amended we respectfully report and recommend that said motion do pass.

BESANCON, Chairman."

Besancon: Move that the report be adopted. Seconded and carried.

Besancon: J. W. Acher of Blaine will have to be absent on Tuesday and Wednesday, January 10 and 11. I therefore move that the gentleman from Blaine be excused until January 12 at 10:00 o'clock A. M. Seconded and carried.

The Speaker announced the appointment of the following Committees:

Committee on Apportionment and Representation: Besancon of Missoula, Chairman; Metlen of Beaverhead, Vice-Chairman; Rolph of Liberty, Arnold of Rosebud, Pilgeram of Cascade, Miller of Lincoln, Abrahamson of Carbon, Pierson of Yellowstone, Harrington of Silver Bow, Woodcock of Chouteau, Moss of Flathead, Lewis of Richland, Ecton of Gallatin, Anderson of Phillips, Findlater of Custer.

Committee on Constitutional Amendments: O'Connell of Silver Bow, Chairman; Haight of Fergus, Vice-Chairman; Rognlien of Flathead, Doran of Silver Bow, McDermott of Silver Bow, Pilgeram of Cascade, Manning of Treasure, Watson of Meagher, Lewis of Richland, Fowler of Yellowstone, Sparling of Sheridan, Balgord of Golden Valley, Fitzstephens of Gallatin, Hilger of Lewis and Clark, Ralston of Glacier.

Committee on Economy: Haight of Fergus, Chairman, Freed of Petroleum, Vice-Chairman; Freudenstein of Silver Bow, Byrne of Toole, Blankenbaker of Chouteau, Chapman of Daniels, Conner of Teton, Hilger of Lewis and Clark, Pilgeram of Cascade, Nutting of Yellowstone, Watson of Meagher, Parker of Flathead, Knowles of Jefferson, Strange of Ravalli, Setzer of Phillips.

Committee on Fish and Game: Spangler of Mineral, Chairman; Grabow of Park, Vice-Chairman; Miller of Lincoln, Replogle of Fergus, McElwain of Powell, Parker of Broadwater, Nutting of Yellowstone, Ferry of Silver Bow, Campbell of Cascade, Fitzstephens of Gallatin, Watson of Meagher, Miles of Sweet Grass, Findlater of Custer, Lott of Madison, Parker of Flathead.

Committee on Railroads and Transportation: Hagerty of Custer, Chairman; Porter of Ravalli, Vice-Chairman; Woodcock of Chouteau, White of Judith Basin, Duffy of Hill, Spangler of Mineral, Holecek of Fergus, Wigal of Missoula, Somerville of Park, Daugherty of Fallon, Logan of Yellowstone, Green of Dawson, Watson of Meagher, Moss of Flathead, Sadring of Musselshell.

Committee on Education: Freed of Petroleum, Chairman, Goodwin of Silver Bow, Vice-Chairman; Woodcock of Chouteau, Haight of Fergus, Reardon of Deer Lodge, Lott of Madison, Rolph of Liberty, Roll of Cascade, Pierson of Yellowstone, Marshall of Missoula, Love of Dawson, Lewis of Richland, Cusker of Roosevelt, Moss of Flathead, Stiefel of Gallatin.

Committee on Agriculture: Snidow of Yellowstone, Chairman; Chapman of Daniels, Rolph of Liberty, Ragen of Lewis and Clark, Schuster of Valley, Acher of Blaine, O'Shea of Carbon, Ballard of Wibaux, Somerville of Park, White of Judith Basin, Kruse of Garfield, Watson of Missoula, Ecton of Gallatin, Lewis of Richland, Parker of Flathead.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 1. The Speaker thereupon signed said Bill.

Besancon: Move that the House adjourn until Monday, January 9, 1933, until 11:15 o'clock A. M. Motion seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

EIGHTH DAY

House of Representatives,
Helena, Montana, January 9, 1933.

House convened pursuant to adjournment at 11:15 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following: Acher, Annin, Duffy, Metlen.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce the following bills:

By Ecton: A Bill for an Act entitled: "An Act to amend Section 4465 Revised Codes of Montana, 1921, as amended by Chapter 95 Acts of the Eighteenth Legislative Assembly and by Chapter 54, Acts of the Twentieth Legislative Assembly, and by Chapters 38 and 142, Acts of the Twenty-first Legislative Assembly, and as amended by Chapter 100 of the Twenty-second Legislative Assembly, relating to the general and permanent powers of boards of county commissioners, and authorizing the purchase and use of automobiles and trucks by counties."

By Holecek: A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, and again amended by Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, relating to open season for deer, and providing penalties for the violation thereof."

By Knowles: A Bill for an Act entitled: "An Act to amend Section 1999 Revised Codes of Montana, 1921, relating to the classification of taxable property."

By Kruse: A Bill for an Act entitled: "An Act to prohibit any authority of the State of Montana having charge of the disbursement of expenditure of the income provided for any state owned institution maintained in whole or in part by the state, or any state department, from expending or contracting to expend any amount in excess thereof, and providing penalties therefor."

By Nass: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the state board of equalization in connection therewith, and prescribing penalties for the violation thereof."

By Holecek: A Bill for an Act entitled: "An Act to amend Section 3765 of the Revised Codes of Montana of 1921, defining the boundaries of the Snowy Mountain Game Preserve."

By Marshall: A Bill for an Act entitled: "An Act to amend Section 566 of the Revised Codes of Montana, 1921, relating to closing of registration and publishing of notices of the same."

By Fowler: A Resolution memorializing Congress urging the passage of legislation for the remonetization of silver."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following for aforesaid positions:

Assistant Postmistress for Capitol Station:

Louise Zimmerman Lewis and Clark

Watchman:

O. J. Regnier Lake

Page:

Ed Connors Deer Lodge

Stenographer in Enrolling Room:

| | |
|-----------------------|------|
| Ramona Stephens | Lake |
|-----------------------|------|

Page to Sergeant-at-Arms:

| | |
|---------------------------|------------|
| Leo. J. Prendergast | Silver Bow |
|---------------------------|------------|

Mailing and Filing Clerk:

| | |
|--------------------------|--------|
| Alfred E. Heikkila | Carbon |
|--------------------------|--------|

Doorkeeper:

| | |
|-----------------------------|------|
| Samuel N. C. O. Brady | Park |
|-----------------------------|------|

Assistant Engrossing Clerk:

| | |
|-----------------------|-----------|
| Clifford Dawson | Jefferson |
|-----------------------|-----------|

Stenographer:

| | |
|------------------------|--------|
| Margaret Gilbert | Custer |
|------------------------|--------|

A. T. PORTER, Chairman."

"Mr. Speaker: The following appointments were made with the provision that their names be withheld from the pay roll until their services are required:

Head Proofreader:

| | |
|-------------------------|---------|
| Francis McCormick | Lincoln |
|-------------------------|---------|

Stenographers:

| | |
|---------------------------|-------------|
| Nancy Nolan | Toole |
| Norma Eastman | Fergus |
| Helen M. Harrington | Silver Bow |
| William T. Murphy | Silver Bow |
| Jo. Thiele | Yellowstone |
| Gail M. Brown | Carter |
| None Cornin | Silver Bow |

Stenographer or Proofreader:

| | |
|-----------------------|-----------|
| Donald Thompson | Wheatland |
|-----------------------|-----------|

Assistant Mail Clerk:

| | |
|-------------------|------------|
| Alfred Kirk | Silver Bow |
|-------------------|------------|

Assistant Reading Clerk:

| | |
|-------------------|---------|
| Art Levisee | Sanders |
|-------------------|---------|

Proofreaders:

| | |
|------------------------|------------|
| Robert Parmenter | Ravalli |
| Olga Woodcock | Chouteau |
| S. G. Skuleson | Missoula |
| Madelon Thomas | Silver Bow |

A. T. PORTER, Chairman."

Moved by Porter that the reports of the Committee on Employment be adopted. Seconded and carried.

MESSAGES FROM THE SENATE

Helena, January 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment this day reported the selection of the following to serve during the Twenty-third Legislative Session, report adopted:

| | |
|--|---|
| Law Clerk | Sid Stewart |
| Enrolling Clerk, effective January 12 | Louis Bretzke |
| Assistant Enrolling Clerk, effective January 12..... | Miss Bira Elder |
| Mimeographer and Stenographer..... | R. Schwalier |
| Stenographers..... | Rose Turpin, Miss A. Blase, Florence Reetz, |
| | Sarah F. MacHale, Janet McKenzie |

Clerk and Proofreader.....J. B. Christofferson
 JanitorW. E. Ryder
 Clerks.....Delos Putz, Neil Helly, Lucy Curran
 Stenographers.....Margaret Fleming, Geneva Witt

Respectfully,

J. F. CONE,
 Secretary.

Helena, January 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day given:

By Corwin: A Bill for an Act entitled: "An Act to amend Section 3579, Revised Codes of Montana for the year 1921, as amended by Section 3 of Chapter 154 of the Laws of Montana, 1929, relating to charges to be paid public warehousemen for the handling or storage of grain."

By Ruffcorn, Angvick and Eaton: A Bill for an Act entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all lands, town and city lots, with improvements, and upon grains and seeds."

By Holton and Angvick: A Resolution for a Senate and House Joint Memorial to the Congress of the United States urging the prompt enactment of legislation for the rehabilitation of the farm industry through the adoption of some form of domestic allotment plan, the refinancing of farm mortgages, and such other measures as may be found necessary to place the farm industry upon approximately the same footing as other great industries of the United States.

Respectfully,

J. F. CONE,
 Secretary.

Helena, January 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill this day was introduced in the Senate, read first and second time, and referred to committee:

S. B. No. 3, by Burr: A Bill for an Act entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, of the taxes be paid by October 1st, 1933, and extending the time of taking tax deed to October 1st, 1933."

Referred to Committee on Taxation.

Respectfully,

J. F. CONE,
 Secretary.

Helena, January 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on Constitutional Amendments, having had under consideration Senate Joint Resolution No. 1, recommend same do pass.

Committee on Banks and Banking, having had under consideration Senate Joint Resolution No. 2, by Pauline, recommend same do not pass.

Respectfully,

J. F. CONE,
 Secretary.

Helena, January 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Walker was this day duly adopted:

"I move that the President appoint a committee of three members of the Senate to confer with a like committee of the House for the purpose of conferring with the Governor, banks and bankers and ascertain their views and purposes concerning the payment of state warrants to be issued for covering legislative indebtedness, and the committee to report back to the Senate as soon as possible.

WALKER."

Whereupon the President named the following Senators to act as such committee:

Senators Eaton, Pauline and Kilduff.

Respectfully,

J. F. CONE,
Secretary.

Sparling: Move that the number of members of the Fish and Game Committee be increased in number from 15 to 16.

After discussion, the motion was changed to read "17" instead of "16," and was referred to the Committee on Rules, Joint Rules and Order of Business.

Besancon: Move that the Speaker appoint a committee of three members to act with a like committee from the Senate in investigating the present warrant indebtedness of the state, and as soon as possible, make a joint report with recommendations. Seconded and carried.

The Speaker appointed Besancon of Missoula, Chairman; Groene of Fergus, and Nelstead of Carter, on the said committee. The members of the committee were thereupon excused to consult with the Governor.

The following bill was introduced, read first and second times by title only, and referred to the Committee on Economy:

H. B. No. 2, Introduced by Knowles: A Bill for an Act entitled: "An Act to amend Section 74 of the Revised Codes of Montana, 1921, Relating to per diem and mileage of members of the Legislative Assembly."

The Speaker announced the appointment of the following committees:

Workmen's Compensation: O'Connell, Silver Bow, Chairman; Beadle of Silver, Vice-Chairman; Abrahamson of Carbon, Shannon of Sanders, Cusker of Roosevelt, Besancon of Missoula, Duffy of Hill, Larson of Deer Lodge, Holecek of Fergus, Ralston of Glacier, Freudenstein of Silver Bow, Setzer of Phillips, Moss of Flathead, Quamme of Pondera, Findlater of Custer.

Ways and Means: Abrahamson of Carbon, Chairman; Replogle of Fergus, Vice-Chairman; Nass of Valley, Stephens of McCone, Reardon of Deer Lodge, Love of Dawson, Freed of Petroleum, Campbell of Cascade, Haight of Fergus, Chapman of Daniels, Sullivan of Silver Bow, Marshall of Missoula, Kruse of Garfield, Sparling of Sheridan, Fowler of Yellowstone.

Revenue and Taxation: Rognlien of Flathead, Chairman; Metlen of Beaverhead, Vice-Chairman; Besancon of Missoula, Doran of Silver Bow, Larsen of Deer Lodge, Jensen of Cascade, Woodcock of Chouteau, Byrne of Toole, Shannon of Sanders, Somerville of Park, Nelstead of Carter, Ueland of Sheridan, Strange of Ravalli, Fowler of Yellowstone, Findlater of Custer.

Highways: Breitenstein of Hill, Chairman; Arnold of Rosebud, Vice-Chairman; Shannon of Sanders, Stephens of McCone, Grabow of Park, Spangler of Mineral, Abrahamson of Carbon, Woodcock of Chouteau, Ral-

ston of Glacier, Jensen of Cascade, Moss of Flathead, Green of Dawson, Nelstead of Carter, Trenne of Roosevelt, Annin of Stillwater.

Dairies and Dairying: Ballard of Wibaux, Chairman; Mulholland of Silver Bow, Vice-Chairman; Shannon of Sanders, Connor of Teton, Hilger of Lewis and Clark, Schuster of Valley, Rolph of Liberty, O'Shea of Carbon; Anderson of Phillips, Parker of Broadwater, Ecton of Gallatin, Strange of Ravalli, Roll of Cascade, Annin of Stillwater, Parker of Flathead.

Banks and Banking: Miller of Lincoln, Chairman, Rognlien of Flathead, Vice-Chairman; Stiefel of Gallatin, Goodwin of Silver Bow, Somerville of Park, Acher of Blaine, Groene of Fergus, Stevens of Wheatland, Snidow of Yellowstone, Holecek of Fergus, Sparling of Sheridan, Knowles of Jefferson, Waite of Powder River, Balgord of Golden Valley, McElwain of Powell.

Livestock: Arnold of Rosebud, Chairman; Metlen of Beaverhead, Vice-Chairman; Miller of Big Horn, Whaley of Prairie, Blankenbaker of Chouteau, Snidow of Yellowstone, Doe of Granite, Connor of Teton, Schuster of Valley, Waite of Powder River, Ueland of Sheridan, Lott of Madison, Stevens of Wheatland, Findlater of Custer, Watson of Missoula.

Irrigation: Nutting of Yellowstone, Chairman; Porter of Ravalli, Vice-Chairman; Larsen of Deer Lodge, Metlen of Beaverhead, Pierson of Yellowstone, Shannon of Sanders, Kuhl of Carbon, Miller of Big Horn, Manning of Treasure, Parker of Broadwater, Strange of Ravalli, Quamme of Pondera, Acher of Blaine, Anderson of Phillips, Miles of Sweet Grass.

State Lands: Metlen of Beaverhead, Chairman; Chapman of Daniels, Vice-Chairman; Haight of Fergus, Arnold of Rosebud, Rognlien of Flathead, Givens of Cascade, Blankenbaker of Chouteau, Harlen of Blaine, Doe of Granite, Snidow of Yellowstone, Waite of Powder River, Ueland of Sheridan, Nelstead of Carter, Miles of Sweet Grass, Marshall of Missoula.

Committee on Insurance: Bjorneby of Flathead, Chairman; Rearden of Cascade, Vice-Chairman; Stephens of McCone, Byrne of Toole, Ferry of Silver Bow, Mason of Lewis and Clark, Givens of Cascade, Stiefel of Gallatin, O'Connell of Silver Bow, Whaley of Prairie, Balgord of Golden Valley, Sparling of Sheridan, Fowler of Yellowstone, Trenne of Roosevelt, Watson of Missoula.

Committee on Labor: Beadle of Silver Bow, Chairman; O'Connell of Silver Bow, Vice-Chairman; Reardon of Deer Lodge, Stephens of McCone, Freudenstein of Silver Bow, Holecek of Fergus, Love of Dawson, McDermott of Silver Bow, Campbell of Cascade, O'Shea of Carbon, Rearden of Cascade, McCarvel of Deer Lodge, Nelstead of Carter, Marshall of Missoula, Stevens of Wheatland.

Committee on Affairs of Cities: Grabow of Park, Chairman; Mason of Lewis and Clark, Vice-Chairman; Breitenstein of Hill, Goodwin of Silver Bow, Rearden of Cascade, McDermott of Silver Bow, Sullivan of Silver Bow, Besancon of Missoula, Harrington of Silver Bow, Hagerty of Custer, Logan of Yellowstone, McElwain of Powell, Miles of Sweet Grass, Sadring of Musselshell, Setzer of Phillips.

Committee on Conservation of Resources: Somerville of Park, Chairman; Whaley of Prairie, Vice-Chairman; Bjorneby of Flathead, Hagerty of Custer, Freudenstein of Silver Bow, Breitenstein of Hill, Givens of Cascade, Campbell of Cascade, Kuhl of Carbon, Nass of Valley, Miller of Big Horn, Logan of Yellowstone, McElwain of Powell, Quamme of Pondera, Sadring of Musselshell.

Committee on Corporations other than Municipal: Fitzstephens of Gallatin, Chairman; Harlen of Blaine, Vice-Chairman; Wigal of Missoula, Mulholland of Silver Bow, Ragen of Lewis and Clark, Sullivan of Silver Bow, White of Judith Basin, Rearden of Cascade, Steifel of Gallatin, Nutting of Yellowstone, Logan of Yellowstone, Trenne of Roosevelt, Roll of Cascade, Waite of Powder River, Miles of Sweet Grass.

Committee on Aviation: Ferry of Silver Bow, Chairman; Steifel of Gallatin, Vice-Chairman; Stevens of Wheatland, Logan of Yellowstone,

Porter of Ravalli, Nass of Valley, Manning of Treasure, Whaley of Prairie, White of Judith Basin, Sullivan of Silver Bow, Setzer of Phillips, Sadring of Musselshell, Anderson of Phillips, Fowler of Yellowstone, Kruse of Garfield.

Moss: Move that we recess until 1:45 o'clock this afternoon.
Seconded and carried.

AFTERNOON SESSION

House resumed, pursuant to recess at 1:45 P. M.
Mr. Speaker in the Chair.

NOTICES

"Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day introduce a bill entitled:

A Bill for an Act entitled: "An Act amending Section 12165 of the Revised Codes of Montana, 1921, providing for the filing of bail bonds, and the date from which any judgment recovered thereon shall be a lien upon real estate."

T. A. SNIDOW."

REPORTS OF STANDING COMMITTEES

Besancon: Move that the special order of business set for 2:00 o'clock this afternoon, report of the Committee on Privileges and Elections, be again deferred and made a special order of business for 2:00 o'clock tomorrow afternoon. Seconded and carried.

REPORTS OF SELECT COMMITTEES

"To the Honorable President of the Senate and Speaker of the House:

We, your Joint Committee, appointed to investigate the present warrant indebtedness of the State, and to make recommendations, beg leave to report as follows:

We find the State of Montana now has outstanding general fund warrants in the sum of \$4,255,449.96 bearing four per cent interest, interest payable only when the warrants are paid. Our best estimate is that warrants issued now would not be paid for approximately eighteen months and they are not desired by investors.

We recommend:

(1) That by reductions and economies for the coming biennium the State Budget be balanced and this done bearing in mind that the coming two years may bring further substantial reductions in taxable values with a resulting decrease in income.

(2) That the total appropriations made in no event exceed the reasonably expected income and that every department and institution be compelled, by further legislation if necessary, to operate within the amount of their appropriation.

(3) That no new taxes be levied or imposed until every possible State Government and institutional expense has been reduced to the absolute minimum and then only to balance the budget and replace the present property taxes.

(4) Mindful of the above policies, the urgency of the present situation and that refunding is futile unless the State live within its income, in principle we favor an Act authorizing the issuance of refunding bonds serial, amortized or part of each in the amount of such warrants to take up the same. Bonds to run for a period of twenty (20) years, unless

amortized, bearing interest at not exceeding four per cent (4%) and a levy within and on the present two mills to meet the interest payments and create the required sinking fund to retire the bonds or amortized payments.

Respectfully submitted January 9, 1933.

EATON,
KILDUFF,
PAULINE,
Senate Committee.

BESANCON,
GROENE,
NELSTEAD,
House Committee.

Besancon: Move the adoption of the report and that the vote be taken on roll call.

After discussion, Besancon moved that action on the report be deferred and made a special order of business for tomorrow morning at 10:00 o'clock, and suggested that meanwhile the members of the House be furnished copies of the report for their consideration. Carried.

MOTIONS AND RESOLUTIONS

"Mr. Speaker: I move that the Committee on Employment be instructed to furnish each member of this body a complete detailed list of all persons who have been employed to date, for use of the House, giving names, qualifications, exact duties employed to discharge, county originating from and name of member who sponsored such employee, if any, and also rate of pay said employee is to receive.

HARRY M. RALSTON, of Glacier."

After discussion, the motion was tabled.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fourth Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Rognlien: Move the adoption of the report. Seconded and carried.

The Speaker announced the appointment of the following committees:

Petroleum, Oil and Gas: Woodcock of Chouteau, Chairman; Mason of Lewis and Clark, Vice-Chairman; Byrne of Toole, McCarvel of Deer Lodge, Ralston of Glacier, Harrington of Silver Bow, Daugherty of Fallon, Parker of Broadwater, O'Shea of Carbon, Jensen of Cascade, Quamme of Pondera, Sparling of Sheridan, Lewis of Richland, Kruse of Garfield, Lindlater of Custer.

Development and Publicity: Doran of Silver Bow, Chairman; Ballard of Wibaux, Vice-Chairman; Blankenbaker of Chouteau, Breitenstein of Hill, Daugherty of Fallon, Doe of Granite, Ferry of Silver Bow, Groene of Fergus, Hagerty of Custer, Harrington of Silver Bow, Balgord of Golden Valley, Ecton of Gallatin, Green of Dawson, Knowles of Jefferson, Lott of Madison.

Equal Suffrage: Love of Dawson, Chairman; Cusker of Roosevelt, Vice-Chairman; Givens of Cascade, O'Shea of Carbon, Abrahamson of Carbon, Acher of Blaine, Beadle of Silver Bow, Breitenstein of Hill, Conner of Teton, Jensen of Cascade, Balgord of Golden Valley, Lott of Madison, Miles of Sweet Grass, Quamme of Pondera, Stevens of Wheatland.

Townships and Counties: Byrne of Toole, Chairman; Mason of Lewis and Clark, Vice-Chairman; Schuster of Valley, McDermott of Silver Bow, Anderson of Phillips, Replogle of Fergus, Ballard of Wibaux, Beadle of Silver Bow, Bjorneby of Flathead, Daugherty of Fallon, Ueland of Sheridan, Kruse of Garfield, Balgord of Golden Valley, Watson of Missoula, Knowles of Jefferson.

Fairs and Expositions: Mason of Lewis and Clark, Chairman; Hilger of Lewis and Clark, Vice-Chairman; Harrington of Silver Bow, Jensen of Cascade, Kuhl of Carbon, Pierson of Yellowstone, Manning of Treasure, White of Judith Basin, Love of Dawson, Miller of Big Horn, Logan of Yellowstone, Watson of Missoula, Trenne of Roosevelt, Sadring of Musselshell, Anderson of Phillips.

Horticulture: Porter of Ravalli, Chairman; Daugherty of Fallon, Vice-Chairman; Ragen of Lewis and Clark, Ferry of Silver Bow, Bjorneby of Flathead, Rearden of Cascade, Blankenbaker of Chouteau, Breitenstein of Hill, Balgord of Golden Valley, Nass of Valley, Harlen of Blaine, Manning of Treasure, Roll of Cascade, Strange of Ravalli, McElwain of Powell.

Federal Relations: Cusker of Roosevelt, Chairman; Harrington of Silver Bow, Vice-Chairman; Fitzstephens of Gallatin, Ralston of Glacier, Snidow of Yellowstone, Schuster of Valley, Kuhl of Carbon, Conner of Teton, Holecek of Fergus, Stiefel of Gallatin, Setzer of Phillips, Knowles of Jefferson, Watson of Missoula, Waite of Powder River, Ueland of Sheridan.

Besancon: Move we adjourn to 10:00 o'clock tomorrow morning
Seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

NINTH DAY

House of Representatives,
Helena, Montana, January 10, 1933.

House convened pursuant to adjournment at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following: Acher, Duffy, White; all excused.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the fifth Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

On motion by Rognlien, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Watson of Missoula: A Bill for an Act entitled: "An Act for making it unlawful to use or attempt to use any anchored snare trap for the purpose of snaring any animal or bird and providing a penalty for the violation thereof."

By Watson of Missoula: A Bill for an Act entitled: "An Act prohibiting the sale, furnishing or giving to children under the age of sixteen years, of any firearms, or ammunition, or permitting their use by such

minors, and to repeal Section 11565 and Section 11566 of the Revised Codes of Montana, 1921, and all Acts and parts of Acts in conflict herewith."

By Ballard: A Bill for an Act entitled: "An Act to amend Section 4775 of the Revised Codes of Montana for the year 1921, relating to the appointment of under-sheriffs."

By Ballard: A Bill for an Act entitled: "An Act to amend Section 4875 of the Revised Codes of Montana for the year 1921, relating to the number of deputies and under-sheriffs allowed county officers."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Rules, having had under consideration the following motion by Spangler, to-wit:

'I move that Rule Eight of the House Rules be amended to the effect that the Fish and Game Committee shall hereafter consist of seventeen members.'

respectfully report as follows: That said motion do pass.

BESANCON, Chairman."

Besancon: Move the adoption of the report. Seconded and carried.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

January 9, 1933.

The Speaker, House of Representatives, Helena:

I have the honor to advise you that I have this day approved House Bill No. 1, an Act to appropriate money for the payment of mileage and per diem to the members of the Twenty-third Legislative Assembly; per diem to the officers and attaches and for incidental expenses of the Twenty-third Legislative Assembly of the State of Montana.

J. E. ERICKSON, Governor."

Besancon: Move that the communications from the Senate be considered read at length, and that the Journal so show. Seconded and carried.

January 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following motion by Kane was this day adopted:

"I move that the President appoint a committee of three to confer with a like committee of the House, to prepare resolutions representing the attitude of the Montana Legislature before the freight rate hearing to be held by the Interstate Commerce Commission January 16."

Whereupon, the President appointed Senators Cooper, Donovan and Burr to act as such committee.

Respectfully,

J. F. CONE,
Secretary.

January 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following resolution was this day adopted:

By Larson: RESOLVED, That the compensation of officers and employees of the Senate of the Twenty-third Legislative Assembly be as follows:

| | |
|---|---------------------|
| the Secretary of the Senate and the | |
| Sergeant-at-Arms | \$8.00 per day each |
| the Assistant Secretary of the Senate, Assistant Ser- | |
| geant-at-Arms, Journal Clerk, Engrossing Clerk, | |
| Enrolling Clerk and Bill Clerk | 6.40 per day each |

| | |
|---|-------------------|
| The Assistant Journal Clerk, Assistant Enrolling Clerk, Assistant Engrossing Clerk, Printing Clerk, Clerk of the President of the Senate and Clerk of the Secretary of the Senate | 4.80 per day each |
| To the Committee Clerks, Doorkeepers, Janitors, Assistant Janitors, Watchmen and Chaplain of the Senate | 4.00 per day each |
| To each Page and Messenger..... | 3.20 per day each |
| To all Employees of the Senate, not herein specifically mentioned | 4.00 per day each |

Respectfully,

J. F. CONE,
Secretary.

January 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment this day reported the selection of the following attaches to serve during the Twenty-third Legislative Session: Report adopted.

| | |
|---------------------------------|---|
| Assistant Sergeant-at-Arms..... | H. W. Stoutenberg, effective January 10 |
| Stenographers..... | Edith Martin, Margaret Wood |
| Assistant Engrossing Clerk..... | Ambrose J. Fey, effective January 15 |
| Cuspidorian | Elmer E. Wenner |
| Janitors..... | B. Bingaman, M. Hefferen |
| Assistant Bill Clerk..... | Almeta L. Wiley, effective January 23 |

Respectfully,

J. F. CONE,
Secretary.

January 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committee:

S. B. No. 4, by Page: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921, as amended by Chapter 107 of the Laws of 1923, by Chapter 88 of the Laws of 1927, and by Chapter 182 of the Laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers, and dealers in motor vehicles, or automobile accessories."

Referred to Committee on Roads and Highways.

S. B. No. 5, by Page and Wass: A Bill for an Act entitled: "An Act to amend Section 59 of Chapter 39 of the Session Laws of the Twenty second Legislative Assembly of 1931." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following joint committee report was this day adopted:

"We, your joint committee, appointed to investigate the present warrant indebtedness of the state and to make recommendations, beg leave to report as follows:

We find the State of Montana now has outstanding general fund warrants in the sum of \$4,255,449.96 bearing four per cent interest, interest payable only when the warrants are paid. Our best estimate is that warrant issued now would not be paid for approximately eighteen months and the are not desired by investors.

We recommend:

(1) That by reductions and economies for the coming biennium the state budget be balanced and this done bearing in mind that the coming two years may bring further substantial reductions in taxable values with a resulting decrease in income.

(2) That the total appropriations made in no event exceed the reasonably expected income and that every department and institution be compelled, by further legislation if necessary, to operate within the amount of their appropriation.

(3) That no new taxes be levied or imposed until every possible state government and institutional expense has been reduced to the absolute minimum and then only to balance the budget and replace the present property taxes.

(4) Mindful of the above policies, the urgency of the present situation and that refunding is futile unless the state live within its income, in principle we favor an Act authorizing the issuance of refunding bonds, serial, amortized or part of each in the amount of such warrants to take up the same. Bonds to run for a period of twenty (20) years, unless amortized, bearing interest at not exceeding four per cent (4%) and a levy within and on the present two mills to meet the interest payments and create the required sinking fund to retire the bonds or amortized payments.

Respectfully submitted January 9, 1933.

Signed:

EATON, KILDUFF, PAULINE, for the Senate.
BESANCON, GREEN, NELSTEAD, for the House."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day given:

By Kaulbach and Galt: A Bill for an Act entitled: "An Act to amend Sections 4525 and 4526, Revised Codes of Montana, 1921, relating to the letting of contracts by boards of county commissioners for the care, support and maintenance of the indigent sick, poor and infirm."

By Staggs: A Bill for an Act entitled: "An Act to amend Section of Chapter 160 of the Session Laws of 1931, relating to the term of bonds of incorporated cities and towns and the interest thereon; providing the procedure relative to the issuance of said bonds and the duties of city and town officers in connection therewith and repealing all Acts and parts of Acts in conflict therewith."

By Holton and Jergensen: A Bill for an Act entitled: "An Act to amend Section 2233 of the Revised Codes of Montana of 1921, regarding the payment of subsequent taxes when a tax certificate has been issued and regarding the extension of the time for redemption from tax sale where such subsequent taxes are paid."

By Kane: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 138, Laws of the Twenty-second Legislative Assembly, relating to fixing the standard grades of apples."

By Carroll: A Bill for an Act entitled: "An Act exempting from tax sale, all property exempt from sale under execution including homestead where declaration of homestead has been filed at any time previous to the tax sale."

By Keeley: A Bill for an Act entitled: "An Act legalizing and validating all elections heretofore held in any city of this state, authorizing the creation or increase of the indebtedness of such city within or exceeding three per centum of the total assessed valuation of the taxable property of said city, as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in Subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1931, which elections were held after notice published and posted, as provided in Section 5279 or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election."

By Rowland: A Bill for an Act entitled: "An Act relating to the floating indebtedness of counties outstanding at the close of the fiscal year ending June 30, 1933, and providing for the issuance of bonds to fund indebtedness or the levying of special taxes to pay such floating indebtedness."

By Garber: A Bill for an Act entitled: "An Act to amend Chapter 51 of Part III of the Political Code of the Revised Codes of the State of Montana of 1921, relating to the nomination of candidates for special elections by convention or primary meeting or by electors, by adding a new section thereto, to be known as Section 618-A providing for the payment of a fee for filing certificates of nomination of candidates nominated under the provisions of this chapter."

Respectfully,

J. F. CONE,
Secretary.

Shannon requested that the members of the Committee on Appropriations be excused subject to call of the House. Request granted.

Besancon moved that the daily reading of the Journal of the preceding day be dispensed with until further called for by the House. Motion seconded and carried.

MOTIONS AND RESOLUTIONS

The following Resolution was read and referred to Committee on Petroleum, Oil and Gas:

HOUSE JOINT RESOLUTION NO. 1

Introduced by Schuster and Love

A Resolution urging the Interstate Commerce Commission, Washington, D. C., to give relief to the people of the State of Montana and more particularly to the farmers of northeastern Montana on freight rates on petroleum products shipped from points in Missouri, Kansas, Oklahoma, Arkansas, Louisiana and Texas and Minot, North Dakota, to various points in northeastern Montana as recommended by report proposed by T. Leo Haden, examiner in re Docket No. 24168, Westland Oil Company vs. Great Northern Railway Company, et al.

Referred to Committee on Petroleum, Oil and Gas.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

H. B. No. 3, introduced by Kruse: "An Act to prohibit any authority of the State of Montana having charge of the disbursement of expenditure of the income provided for any state owned institution maintained in

whole or in part by the state, or any state department, from expending or contracting to expend any amount in excess thereof, and providing penalties therefor." Committee on State Institutions, Public Buildings and Grounds.

H. B. No. 4, introduced by Nass: A Bill for an Act entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof." Committee on Revenue and Taxation.

H. B. No. 5, introduced by Marshall: A Bill for an Act entitled: "An Act to amend Section 566 of the Revised Codes of Montana, 1921, relating to closing of registration and publishing of notices of the same." Committee on Privileges and Elections.

UNFINISHED BUSINESS

Besancon: I move that we now proceed with the Special Order of Business for this morning; motion to adopt the report of the Select Committee. Seconded and carried.

Besancon: Move that the report of the Select Committee be adopted. Seconded and carried.

The Speaker announced the appointment of the following committees:

Committee on Judiciary: Groene of Fergus, Chairman; Replogle of Fergus, Vice-Chairman; Besancon of Missoula, Beadle of Silver Bow, O'Connell of Silver Bow, Pierson of Yellowstone, Fitzstephens of Gallatin, Byrne of Toole, Acher of Blaine, Freed of Petroleum, Duffy of Hill, Miller of Lincoln, Grabow of Park, Nelstead of Carter, Ecton of Gallatin.

Committee on State Boards and Officers: Goodwin of Silver Bow, Chairman; Doe of Granite, Vice-Chairman; Love of Dawson, Porter of Ravalli, Reardon of Deer Lodge, Ragen of Lewis and Clark, Nass of Valley, Sullivan of Silver Bow, Kuhl of Carbon, Campbell of Cascade, Green of Dawson, Ueland of Sheridan, Wigal of Missoula, Annin of Stillwater, Lott of Madison.

Besancon: Move to recess until 1:45 o'clock this afternoon. Motion seconded and carried.

AFTERNOON SESSION

"Mr. Speaker: We, your Committee on Enrollment, beg leave to report that House Bill No. 1, has been correctly enrolled, and signed by the Speaker of the House and President of the Senate and on January 9, 1933, at the hour of 2 o'clock, P. M., was delivered to the Governor for his approval.

L. E. LARSEN, Chairman."

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

H. J. M. No. 1, introduced by Ralston: "A Memorial to the Congress of the United States of America, requesting the enactment of adequate legislation which will reimburse the Blackfoot Indians for the loss of lands known as the ceded strip in northwestern Montana, certain rights to said lands having been wrongfully taken from them without just compensation." Committee on Federal Relations.

H. B. No. 6, introduced by Parker of Flathead: A Bill for an Act entitled: "An Act to amend Section 662 Revised Codes of Montana, 1921, as amended by Chapter 34 of the Session Laws of 1929 and relating to

County and City Central Committees and their powers and providing for two County Central Committeemen, one a man and one a woman, for each County Precinct, and two such State Central Committeemen, one a man and one a woman, from each county." Committee on Privileges and Elections.

H. B. No. 7, introduced by Besancon: A Bill for an Act entitled: "An Act to amend Section 16 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the bonds of officers, agents and employees of building and loan associations." Committee on Banks and Banking.

H. B. No. 8, Introduced by Besancon: A Bill for an Act entitled: "An Act to amend Section 12 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana as amended by, and also to amend, Chapter 163 of the Session Laws of the Twenty-first Legislative Assembly and to amend Section 45 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly all of said State and to repeal Chapter 168 of the Laws of 1931, all relating to the powers, duties and reports of building and loan associations and to permit such associations to subscribe to the stock of, borrow money from, pledge their securities to, conform to the laws creating and become members of the Federal Home Loan Banks of the United States." Committee on Banks and Banking.

H. B. No. 9, introduced by Ballard and Replogle: A Bill for an Act entitled: "An Act to amend Section 4916 of the Revised Codes of Montana of 1921 as amended by Chapter 111 of the Laws of the Twentieth Legislative Assembly and by Chapter 89 of the Laws of the Twenty-first Legislative Assembly of the State of Montana, relating to fees, mileage and expense of Sheriffs." Committee on Economy.

Besancon: Move that the House now take up the Special Order of Business set for 2:00 o'clock this afternoon, namely, the report of the Committee on Privileges and Elections.

Seconded and carried.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration the contest of David Murphy, Jr., against J. E. Sadring, respectfully report as follows:

That having had under consideration the matters involved in said contest, having heard the testimony and all evidence submitted by both parties and having duly considered the same and having been fully advised by the office of the Attorney General as to the law and the procedure, by unanimous vote have determined that, at the time of the election of the said J. E. Sadring to office as a member of this House, he was not qualified as to residence under the provisions of the Constitution of the State of Montana to be elected as a Representative; and we have further unanimously determined that the contestant Mr. David Murphy, Jr., did not receive the necessary legal votes to entitle him to sit as a member of this House.

D. W. CHAPMAN, Chairman."

Chapman: Move the adoption of the report. Seconded and carried.

MOTIONS AND RESOLUTIONS

"We, your Committee on Privileges and Elections, hereby offer the following resolution:

WHEREAS, it appears from the report of this committee duly adopted by this House that J. E. Sadring of Musselshell County, Montana, at the time of his election as a member of this House was not qualified as to residence under the provisions of the Constitution of the State of Montana to be elected as a Representative.

NOW, THEREFORE, BE IT RESOLVED, that the said J. E. Sadring be declared ineligible to sit in this body and that his seat therein be vacated.

D. W. CHAPMAN, Chairman."

Chapman: Move the adoption of the Resolution. Seconded and carried.

The Speaker announced the appointment of the following committees:

State Institutions, Public Buildings and Grounds: Mulholland of Silver Bow, Chairman; White of Judith Basin, Vice-Chairman; Pierson of Yellowstone, Freudenstein of Silver Bow, Cusker of Roosevelt, Hilger of Lewis and Clark, Duffy of Hill, McDermott of Silver Bow, Nutting of Yellowstone, Parker of Broadwater, Steifel of Gallatin, Moss of Flathead, Logan of Yellowstone, Watson of Missoula, Trenne of Roosevelt.

Internal Improvements: Stephens of McCone, Chairman; Sullivan of Silver Bow, Vice-Chairman; McDermott of Silver Bow, Whaley of Prairie, Abrahamson of Carbon, McElwain of Powell, Setzer of Phillips.

Military Affairs: Replogle of Fergus, Chairman; Spangler of Mineral, Vice-Chairman; Grabow of Park, Shannon of Sanders, Schuster of Valley, Kruse of Garfield, Annin of Stillwater.

Mines and Mining: McDermott of Silver Bow, Chairman; Larsen of Deer Lodge, Vice-Chairman; Ferry of Silver Bow, Mason of Lewis and Clark, Jensen of Cascade, Freudenstein of Silver Bow, Doe of Granite.

Improvements and Manufacturing: McCarvel of Deer Lodge, Chairman; Wigal of Missoula, Vice-Chairman; Goodwin of Silver Bow, Schuster of Valley, Doran of Silver Bow, Stevens of Wheatland, Fowler of Yellowstone.

New Counties and Divisions: Pilgeram of Cascade, Chairman; Freudenstein of Silver Bow, Vice-Chairman; Acher of Blaine, Goodwin of Silver Bow, Ballard of Wibaux, Blankenbaker of Chouteau, Campbell of Cascade, Miller of Lincoln, Ecton of Gallatin.

Public Health and Sanitary Affairs: Doe of Granite, Chairman; Steifel of Gallatin, Vice-Chairman; Hagerty of Custer, Beadle of Silver Bow, Chapman of Daniels, Stevens of McCone, Conner of Teton, Setzer of Phillips, Fowler of Yellowstone.

Besancon: Move to adjourn until 10:00 tomorrow morning, January 11th.

Seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TENTH DAY

House of Representatives,
Helena, Montana, January 11, 1933.

House convened pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except the following: Acher (excused) Stevens.

NOTICES

Mr. Speaker: We hereby give notice that we will on tomorrow or some subsequent day, introduce a bill entitled: A Bill for an Act entitled: "An Act to appropriate money for payment of mileage and per diem to the Presidential Electors."

APPROPRIATIONS COMMITTEE."

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following for aforesaid positions, subject to call:

Printing Clerk:

Si StoddardDeer Lodge

Watchman:

George DepmierHill

Janitor:

John ByrneLewis and Clark

Stenographer:

Katherine FautsRosebud

Margaret HelehanSilver Bow

Delores EllersMusselshell

Assistant Printing Clerk:

1st. Cecil ChrisingerFlathead

2nd. Vernon ClinchSilver Bow

Proof Readers:

George KemmisRichland

Bess KiesterGlacier

A. T. PORTER, Chairman."

Porter: Move the adoption of the report. Seconded and carried.

MOTIONS AND RESOLUTIONS

Shannon: Move that the House reconsider its action taken yesterday on the Resolution introduced by the Committee on Privileges and Elections, in regard to vacating the seat of J. E. Sadring in this House. Seconded. Division called for, and the motion was lost by a vote of 40 Ayes and 44 Noes.

Besancon: I move that the Speaker appoint a committee of three members to confer with the photographers relative to taking of photographs of the members individually and of the House, with full power to make all arrangements." Seconded and carried.

INTRODUCTION OF BILLS AND MEMORIALS AND
SECOND READING OF SAME

H. B. No. 10, Introduced by Watson of Missoula: A Bill for an Act entitled: "An Act prohibiting the sale, furnishing, or giving to children under the age of sixteen years, of any fire arms, or ammunition, or permitting their use by such minors, and to repeal Section 11565 and Section 11566 of the Revised Codes of Montana, 1921, and all acts and parts of Acts in conflict herewith." Committee on Public Safety.

H. B. No. 11, Introduced by Watson of Missoula: A Bill for an Act entitled: "An Act making it unlawful to use or attempt to use any an-

chored snare trap for the purpose of snaring any animal or bird and providing a penalty for the violation thereof." Committee on Livestock and Public Ranges.

The Speaker announced the appointment of the following committees:

Committee on Waterways and Navigation: Moss of Flathead, Chairman; Kuhl of Carbon, Vice-Chairman; Haight of Fergus, Freed of Petroleum, Pilgeram of Cascade, Harlen of Blaine, Doran of Silver Bow, Arnold of Rosebud, Reardon of Deer Lodge.

Committee on Courtesy: Harlen of Blaine, Chairman; Ballard of Wibaux, Vice-Chairman; Ecton of Gallatin.

Committee on Pictures: McCarvel of Deer Lodge, Chairman; Campbell of Cascade, Vice-Chairman; Findlater of Custer.

Substitutions on Committees previously appointed:

Committee on State Boards and Officers: Harrington of Silver Bow for Sullivan of Silver Bow.

Committee on Live Stock and Public Ranges: Watson of Meagher for Watson of Missoula.

Committee on Fairs and Expositions: Larsen of Deer Lodge for Hilger of Lewis and Clark.

Besancon: Move that the House recess until 1:30 o'clock this afternoon. Seconded and carried.

AFTERNOON SESSION

House resumed at 1:30 o'clock.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce the following Bills:

By Appropriations Committee: A Bill for an Act entitled: "An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension, due to injuries received while on duty in the service of the State of Montana as a private in the service company, 163rd Infantry, Montana National Guard."

By Appropriations Committee: A Bill for an Act entitled: "An Act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the District Judge's expense."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Mileage and Per Diem, beg leave to report that we have found errors in our original report, and respectfully request that the original report read as follows:

Corrections to be made to read as follows:

| Name | City | Miles | Amount |
|-------------------|-------------|----------|----------|
| Campbell, Ray C., | Great Falls | 196 @ 10 | \$ 19.60 |
| Ragen, D. J., | East Helena | 20 @ 10 | 2.00 |
| Whaley, James, | Fallon | 888 @ 10 | 88.80 |

Respectfully submitted,

H. D. ROLPH, Chairman."

Rolph: Move the adoption of the report. Seconded and carried.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration H. J. R. No. 1, a Resolution urging the Interstate Commerce Commission, Washington, D. C., to give relief to the people of the

State of Montana and more particularly to the farmers of Northeastern Montana on Freight Rates on petroleum products shipped from points in Missouri, Kansas, Oklahoma, Arkansas, Louisiana and Texas and Minot, North Dakota to various points in Northeastern Montana as recommended by report proposed by T. Leo Haden, Examiner in re Docket No. 24168, Westland Oil Company vs. Great Northern Railway Company, et al., respectfully report as follows: That H. J. R. No. 1 do not pass.

WOODCOCK, Chairman."

Woodcock: Move the adoption of the report.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, January 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to Committees:

S. B. No. 6, by Garber: A Bill for an Act entitled: "An Act to amend Chapter 51 of Part III of the Political Code of the Revised Codes of the State of Montana, of 1921, relating to the nomination of candidates for special elections by convention or primary meeting or by electors, by adding a new Section thereto, to be known as Section 618-A, providing for the payment of a fee for filing certificates of nomination of candidates nominated under the provisions of this Chapter." Referred to Committee on Elections and Privileges.

S. B. No. 7, by Keeley, by request: A Bill for an Act entitled: "An Act legalizing and validating all elections heretofore held in any city of this State, authorizing the creation or increase of the indebtedness of such city within or exceeding three per centum of the total assessed valuation of the taxable property of said city, as ascertained by the last assessment for State and County purposes, for any of the purposes set forth in subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1931, which elections were held after notice published and posted, as provided, in Section 5279 or Section 8, Chapter 160, of the Session Laws of Montana of 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election." Referred to Committee on Counties and Towns.

S. B. No. 8, by Staggs: A Bill for an Act entitled: "An Act to amend Section Four (4) of Chapter One Hundred Sixty (160) Session Laws of 1931, relating to the term of bonds of incorporated cities and towns and the interest thereon; providing the procedure relative to the issuance of said bonds and the duty of city and town officers in connection therewith and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Counties and Towns.

S. B. No. 9, by Burr: A Bill for an Act entitled: "An Act to amend Section 4482 of the Revised Codes of Montana of 1921, as amended by Chapter 10 of the Session Laws of the Twenty-first Legislative Assembly, relating to contracts for public printing, fixing the prices therefor, and providing a penalty for violation of this Act." Referred to Committee on Printing.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Reed: A Bill for an Act entitled: "An Act to amend Sections 48, 49 and 50 of Chapter 60 of the Session Laws of 1927 relating to granting of prospective permits, fixing the terms thereof and to the granting of mining leases and fixing the terms thereof on lands now owned or to be acquired in the future by the State."

By Simmons: A Bill for an Act entitled: "An Act relating to price charged for any standard petroleum product within the State of Montana, providing for procedure in the determination of price under this Act, defining standard petroleum product to be a "public utility", defining what is included within the term "standard petroleum product," construction to be placed upon this Act, prescribing duties of County Attorney, providing penalties for the violation thereof, and repealing all Acts and parts of Acts in conflict herewith."

By Melton: A Bill for an Act entitled: "An Act amending Section 852 of the Revised Codes of Montana, 1921, as amended by Chapter 6 of the Session Laws of 1927, defining the University of Montana and amending Section 854 of the Revised Codes of Montana, 1921, as amended by Chapter 6, of the Session Laws of 1927, authorizing the State Board of Education to grant diplomas and confer degrees on the graduates of the several component institutions of the University of Montana; repealing Chapter 160 of the Session Laws of 1925 establishing the Eastern Montana State Normal School; and repealing Sections 917 to 925 inclusive, of the Revised Codes of Montana, 1921, relating to the establishment of the Northern Montana Agriculture and Manual Training School, and Chapter 66 of the Session Laws of 1925, and Chapter 82 of the Session Laws of 1927 relating to the said Northern Montana Agriculture and Manual Training School; and providing that the said Northern Montana Agriculture and Manual Training School, and the said Eastern Montana State Normal School be discontinued as units of the University of Montana."

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

H. B. No. 12, introduced by Snidow: A Bill for an Act amending Section 12165 of the Revised Codes of Montana, 1921, providing for the filing of bail bonds, and the date from which any judgment recovered thereon shall be a lien upon real estate." Committee on Judiciary.

H. B. No. 13, introduced by Holecek: A Bill for an Act entitled: "An Act to amend Section 3765 of the Revised Codes of Montana of 1921, defining the boundaries of the Snowy Mountain Game-Preserve." Committee on Fish and Game.

The Speaker announced the appointment of the following committees:

Entertainment: Mason of Lewis and Clark, Chairman; Replogle of Fergus, Vice-Chairman; Doe of Granite, Watson of Missoula, Roll of Cascade.

Public Safety: Pierson of Yellowstone, Chairman; White of Judith Basin, Vice-Chairman; O'Connell of Silver Bow, Porter of Ravalli, Hilger of Lewis and Clark, Rearden of Cascade, Parker of Flathead, Waite of Powder River, Trenne of Roosevelt.

Public Morals, Charities and Reforms: Jensen of Cascade, Chairman; Manning of Treasure, Vice-Chairman; Nass of Valley, Somerville of Park, Nutting of Yellowstone, Miller of Big Horn, Quamme of Pondera.

Libraries: Harlen of Blaine, Chairman; Dougherty of Fallon, Vice-Chairman; Bjorneby of Flathead, Givens of Cascade, Knowles of Jefferson.

The Speaker announced the following substitutions for committee appointments previously announced:

Committee on Ways and Means: Pilgeram of Cascade to replace Love of Dawson.

Committee on Apportionment and Representation: Love of Dawson to replace Pilgeram of Cascade.

The Speaker announced the appointment of the following members to the Committee on Fish and Game, to increase that committee to seventeen, in accordance with amended Rule: Holecek of Fergus and Parker of Flathead.

Besancon: Move the House adjourn until tomorrow morning at 11:00 o'clock.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

ELEVENTH DAY

House of Representatives,
Helena, Montana, January 12, 1933.

House convened, pursuant to adjournment, at 11:00 o'clock A. M.
Mr. Speaker in Chair.

Invocation by the Chaplain.

On roll call, all members present except the following: Miller of Lincoln, Woodcock; both excused until further notice.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Rognlien: Move the adoption of the report. Seconded. Carried.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Rognlien: Move the adoption of the report. Seconded. Carried.

"Mr. Speaker: We, your Committee on Journal having examined the Journal for the Tenth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Rognlien: Move the adoption of the report. Seconded and carried.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce the following bills:

By Annin: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessments on certain school lands in Big Lake Drain District No. 1, Stillwater County, Montana."

By Committee on Economy: A Bill for an Act entitled: "An Act to amend Section 1617 of Montana Revised Codes of 1921, relating to the powers of County Commissioners in making levies for highway purposes."

By Nutting: A Bill for an Act entitled: "An Act relating to the taking of game fish and game and fur-bearing animals, relieving damage caused thereby, granting and giving to the State Fish and Game Commission of the State of Montana, authority to change or suspend closed seasons and bag limits on game fish and game and fur-bearing animals, and

to make and promulgate rules and regulations for the taking, killing, removing or disposing of the same, prescribing penalties for the violation of this Act, and repealing all Acts or parts of Acts in conflict with the provisions thereof."

By Replogle: A Bill for an Act entitled: "An Act to provide for a license tax to be paid by all persons, firms, copartnerships and corporations owning or operating hydro-electric power plants, hydro-electric light plants, or electric transmission lines or any system for the distribution or sale of electricity generated by water power."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 12, A Bill for an Act amending Section 12165 of the Revised Codes of Montana, 1921, providing for the filing of bail bonds, and the date from which any judgment recovered thereon shall be a lien upon real estate," respectfully report as follows: That House Bill No. 12 be amended as follows: That the first line of the title after the word "Act" and before the word "Amending" the following be inserted: "entitled: 'An Act'" and that quotation marks also be placed after the last word of the title. That in Section 1, line 24 the word "date" be stricken and the word "time" be inserted. And when so amended the Bill do pass.

GROENE, Chairman."

Groene: Move the adoption of the report. Seconded. Carried.

"Mr. Speaker: We, your Committee on Banks and Banking, having under consideration House Bill No. 7, A Bill for an Act entitled: "An Act to amend Section 16 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the bonds of officers, agents and employees of building and loan associations," respectfully report as follows:

That House Bill No. 7 do pass.

ROGNLIEN, Vice-Chairman."

Rognlien: Move the adoption of the report. Seconded. Carried.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, January 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Pauline was this day adopted:

"I move that the Chancellor of the Greater University be instructed to give this Senate the names and amounts on the payroll from the dormitories and other local funds of the different units of the Greater University, and hours per week employed." (Signed) PAULINE.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committee reported this day as follows: Report adopted.

Committee on State Boards and Officers, having had under consideration Senate Resolution No. 1, respectfully report as follows: That Senate Resolution No. 1 be adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of Bills were this day received:

Besancon: Move that the Messages from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

By Husband: A Bill for an Act entitled: "An Act to amend Section 1617, Revised Codes of Montana for 1921, relating to powers of Boards of County Commissioners in raising revenue for construction, maintenance and improvement of public highways."

By Page: A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 109, Laws of the Twentieth Legislative Assembly of 1927, as amended by Section 1, Chapter 192, of the Laws of the Twenty-second Legislative Assembly of 1931, relating to the standards of gasoline sold in Montana."

By Larson: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana, of an amendment to Section 1 of Article 12 of the Constitution of the State of Montana, relating to revenue and taxation; providing for the levy, collection and distribution of taxes upon incomes of persons, firms and corporations."

By Larson and Campbell: A Bill for an Act entitled: "An Act providing for the reduction of mileage and per diem of members of the Senate and House of Representatives."

By Carroll: A Bill for an Act entitled: "An Act to provide for State insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment premiums; and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act."

By Pauline and Kane: A Bill for an Act entitled: "An Act relating to the salaries and compensation of certain State Officers, and of all deputy State Officers and Clerks, Stenographers and employees in all State offices, commissions, boards, bureaus and departments, and repealing Sections 738 and 440, Revised Codes of Montana, 1921, Chapters 4, 50 and 83, Session Laws, 1929, and all other Acts and parts of Acts in conflict herewith."

By Pauline: A Bill for an Act entitled: "An Act fixing and designating the annual salaries of the Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Clerk of the Supreme Court and Superintendent of Public Instruction, and repealing Sections 128, 200, 375, and 436, Revised Codes of Montana, 1921, and Section 162, Revised Codes of Montana, 1921, as amended by Chapter 153, Session Laws, 1927."

By Holton and Ruffcorn: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 92, Session Laws 1927, being an Act entitled "An Act relating to the giving of notice on application for tax deeds by counties, cities and towns, and legalizing and validating tax deeds heretofore issued to counties, cities, and towns."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time and referred to Committee:

S. B. No. 10, by Simmons: A Bill for an Act entitled: "An Act relating to price charged for any standard petroleum product within the State of Montana, providing for procedure in the determination of price under this Act, defining standard petroleum product to be a "public utility", defining what is included within the term "standard petroleum product", con

struction to be placed upon this Act, prescribing duties of County Attorney, providing penalties for the violation thereof, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Oils and Leases.

The following Senate Joint Memorials were this day introduced, read first and second time and referred to Committees:

S. J. M. No. 1, by Joint Committee of House and Senate: A memorial to the Interstate Commerce Commission of the United States, advocating a reduction of freight rates on gasoline from mid-continent points to Montana points." Referred to Committee on Federal Relations.

S. J. M. No. 2, by Holton and Angvick: "A Memorial to the Congress of the United States urging the prompt enactment of legislation for the rehabilitation of the farm industry through the adoption of some form of the domestic allotment plan, the refinancing of farm mortgages, and such other measures as may be found necessary to place the farm industry upon approximately the same footing as other great industries of the United States." Referred to Committee on Agriculture.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

"Mr. Speaker: We, your Committee on Economy, beg leave to report and recommend to the House that for this Session the members use letterheads without their names being printed thereon except at their own expense.

HAIGHT, Chairman."

Motion seconded and carried.

Breitenstein: Move that the Senate be invited to join the House to hear a talk by former Representative McMahon of Silver Bow County regarding relief work in that County. Seconded and carried.

The Speaker announced the appointment of the following committees:

Committee on Public Utilities and State Commissions: Ragen of Lewis and Clark, Chairman; O'Shea of Carbon, Vice-Chairman; Rearden of Cascade, Groene of Fergus, Mulholland of Silver Bow, Duffy of Hill, Somerville of Park, Byrne of Toole, Parker of Broadwater, Fowler of Yellowstone, Metlen of Beaverhead, Sparling of Sheridan, Strange of Ravalli, Stevens of Wheatland, Watson of Meagher.

The Speaker announced the following substitutions for committees previously appointed:

Committee on Labor: Mulholland of Silver Bow to replace Rearden of Cascade.

Committee on Privileges and Elections: Wigal of Missoula to replace Watson of Meagher.

Besancon: Move the House recess until 1:40 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

NOTICES

"Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day, introduce a Bill entitled: "A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Catherine

Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana."

COMMITTEE ON APPROPRIATIONS.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

Helena, January 12, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 1, introduced by Corwin, was this day read three several times and passed, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE,
Secretary."

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were this day introduced, read first and second times at length, and referred to Committees:

H. B. No. 14, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the District Judge's expense." Committee on Appropriations.

H. B. No. 15, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money for payment of mileage and per diem to the presidential electors." Committee on Appropriations.

H. B. No. 16, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension, due to injuries received while on duty in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard." Committee on Appropriations.

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 17, introduced by Groene: A Bill for an Act entitled: "An Act permitting owners of real estate deprived of their property by tax deed to repurchase their property and prescribing the terms and conditions thereof and amending Section 2215 of the Revised Codes of Montana, 1921, and repealing all Acts and parts of Acts in conflict herewith." Committee on Revenue and Taxation.

S. J. R. No. 1, introduced by Corwin: A joint resolution ratifying an amendment to the Constitution of the United States, fixing the commencement of the terms of President, Vice-President, and Members of Congress and fixing the time of the assembling of Congress. Committee on Federal Relations.

On motion by Besancon, the House recessed at the call of the Chair, to hear talks delivered by Hon. W. J. McMahon of Butte and Thomas Spalding of Missoula, regarding relief work being done in the different counties of the State, in part with funds furnished by the Reconstruction Finance Corporation, on application of the Governor.

House resumed. Mr. Speaker in the Chair.

NOTICES

"Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day, introduce a bill entitled:

A Bill for an Act entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund indebtedness of said State evidenced by warrants and providing for the payment thereof."

WAYS AND MEANS COMMITTEE."

Groene of Fergus excused until Monday afternoon.

Besancon: Move the House adjourn until 11:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWELFTH DAY

House of Representatives,
Helena, Montana, January 13, 1933.

House convened, pursuant to adjournment at 11:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except the following: Groene, Miller of Lincoln, Woodcock, all of whom were excused.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eleventh Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Ronglien: Move the adoption of the report. Seconded. Carried.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By O'Connell: A Bill for an Act entitled: "An Act to amend Section 1760 of Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of 1923, and by Chapter 88 of the Laws of 1927, and as amended by Chapter 182 of the Laws of 1929, providing for a reduction in registration fees for motor vehicles, trailers, semi-trailers and dealers in motor vehicles or automobile accessories."

By Grabow, and Watson of Missoula: A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Justin D. Lovely as compensation or as a pension for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same."

By O'Shea: A Bill for an Act entitled: "An Act to amend Sections 1632 and 4462 Revised Codes Montana, 1921, as amended by Chapter 176 and 35 Session Laws 1929, and to repeal Section 1634 Revised Codes Montana, 1921, all relating to Boards of County Commissioners and their powers and duties in connection with the inspection of highways, bridges and public ferries and the holding of sessions."

By Blankenbaker: A Bill for an Act entitled: "An Act to amend Sections 5183, 5184, 5185, 5186, Revised Codes of Montana, 1921, relating to the licensing and examination of master plumbers and journeymen plumbers

in cities and towns of more than three thousand inhabitants; establishing a system of examination for master plumbers and journeymen plumbers; fixing the fees to be charged for licenses and the disposition of the fund thus created; providing penalties for violations of the provisions of this Act; defining the terms 'Master Plumber' and 'Journeyman Plumber'."

By Byrne: A Bill for an Act entitled: "An Act to amend Section 2247 of the Revised Codes of Montana of 1921 relating to the rate of taxation on personal property unsecured by a lien on real estate and repealing Section 2248 and 2249 of the Revised Codes of Montana, 1921."

REPORTS OF STANDING COMMITTEES

'Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 14,

A Bill for an Act entitled: "An Act to appropriate funds for the payment of certain deficiency claims arising from obligations incurred by the District Judge's expense," respectfully report as follows:

Recommend that House Bill No. 14 do pass.

ARNOLD, Vice-Chairman."

Arnold: Move the adoption of the report. Seconded. Carried.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 16,

A Bill for an Act entitled: "An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension, due to injuries received while on duty in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard," respectfully report as follows:

Recommend that House Bill No. 16 do pass.

ARNOLD, Vice-Chairman."

Arnold: Move the adoption of the report. Seconded. Carried.

"Mr. Speaker: We, your Committee on Employment, having had under consideration applicants for employment, beg to submit the following for aforesaid positions:

Proof Reader (subject to call):

| | |
|----------------------|------------|
| Florence Henry | Deer Lodge |
| William Heath | Deer Lodge |

Stenographers (subject to call):

| | |
|----------------------|------------|
| Verna Long | Broadwater |
| Helen Sheehan | Silver Bow |
| Waunita Wilson | Phillips |
| Gladys Olson | Sheridan |

A. T. PORTER, Chairman."

Porter: Move the adoption of the report. Seconded and carried.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, January 12, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Resolution by Pauline was this day introduced in the Senate, and on motion, referred to Committee on State and County Economies.

Besancon: Move that the Senate messages be considered read at length and that the Journal so show. Seconded. Carried.

January 12, 1933.

Senate Resolution No. 3, by Pauline: A Resolution expressing the desire of the people of the State of Montana to the Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, State Railroad Commissioners and all elective officers of the State of Montana that they take into consideration the condition of the taxpayers of the State of Montana and take a voluntary cut in their salaries commensurate with the cuts taken by people in other walks of life.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 12, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Kaulbach: A Bill for an Act entitled: "An Act to prevent nepotism and prescribing the penalties therefor."

By Rowland: A Bill for an Act entitled: "An Act to amend Section 3697 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, and again amended by Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, and again amended by Chapter 152 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, relating to open season for deer."

By Jergensen and Staggs: A Bill for an Act entitled: "An Act providing for abolishing the office of Railroad Commissioners and the Board of Railroad Commissioners of the State of Montana, and their salaries; transferring their duties to a Board composed of the Governor, Secretary of State and Attorney General; to act without additional compensation, prohibiting free transportation of members and employees thereof; repealing Section 3779 and amending Sections 3784 and 3785, Revised Codes of Montana of 1921."

By Simmons: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1921, relating to exemption of earnings—debts incurred for necessities."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 12, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committee this day reported as follows, report adopted:

Committee on Federal Relations: That S. J. M. No. 1, introduced by Joint Committee of House and Senate, do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 12, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole, having had under consideration business on General File, respectfully report and recommend as follows:

That S. J. R. No. 1 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 12, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Resolution was this day introduced in the Senate, read first and second time, and referred to Committee:

Senate Resolution No. 2, by Ruffcorn: A Resolution urging the State Board of Education of the State of Montana to reduce the salaries of the employees of the Greater University at least thirty per centum (30%) on all yearly incomes over One Thousand Dollars (\$1,000.00). Referred to Committee on Education.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 12, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to Committee:

S. B. No. 11, by Kane: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 138, Laws of the Twenty-second Legislative Assembly of 1931, relating to fixing the standard grades of apples." Committee on Horticulture.

S. B. No. 12, by Melton: A Bill for an Act entitled: "An Act amending Section 852 of the Revised Codes of Montana 1921; as amended by Chapter 6 of the Session Laws of 1927, defining the University of Montana; and amending Section 854 of the Revised Codes of Montana, 1921, as amended by Chapter 6 of the Session Laws of 1927, authorizing the State Board of Education to grant diplomas and to confer degrees on the graduates of the several component institutions of the University of Montana: Repealing Chapter 160 of the Session Laws of 1925 establishing the Eastern Montana State Normal School; and repealing Sections 917 to 925 inclusive, of the Revised Codes of Montana 1921, relating to the establishment of the Northern Montana Agricultural and Manual Training School, and Chapter 66 of the Session Laws of 1925, and Chapter 82 of the Session Laws of 1927, relating to the said Northern Montana Agricultural and Manual Training School; and providing that the said Northern Montana Agricultural and Manual Training School, and the said Eastern Montana State Normal School be discontinued as units of the University of Montana; and repealing all Acts and parts of Acts in conflict herewith." Committee on State and County Economies.

S. B. No. 13, By Wass and Page: A Bill for an Act entitled: "An Act to promote the development of the Montana Egg Industry; to prohibit the sale of eggs unfit for human food; to prevent deception in the sale of eggs; and to encourage greater consumption thereof by ruling and standardizing the grading, classification and labeling of all eggs displayed for sale; providing penalties for the violation of the provisions of this Act, and repealing Chapter 189 of the Session Laws of the Twenty-second Legislative Assembly and all Acts and parts of Acts in conflict herewith." Committee on Dairies and Dairying.

S. B. No. 14, by Husband: A Bill for an Act entitled: "An Act to amend Section 1617, Revised Codes of Montana, 1921, relating to powers of Boards of County Commissioners in raising revenue for construction, maintenance and improvement of public highways." Committee on Counties and Towns.

S. B. No. 15, by Page: A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 109, Laws of the Twentieth Legislative Assembly of 1927, as amended by Section 1 of Chapter 192 of the Laws of the Twenty-second Legislative Assembly of 1931, relating to the standards of gasoline sold in Montana." Committee on Oils and Leases.

S. B. No. 16, by Pauline: A Bill for an Act entitled: "An Act fixing and designating the annual salaries of the Governor, Secretary of State,

State Auditor, State Treasurer, Attorney General, Clerk of the Supreme Court and Superintendent of Public Instruction and repealing Sections 128, 200, 375 and 436, Revised Codes of Montana, 1921, and Section 162, Revised Codes of Montana, 1921, as amended by Chapter 153, Session Laws 1927." Committee on State and County Economies.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: Moved by Love and Schuster that this House forward to the Montana Members of Congress over the signature of the Speaker, the following telegram: 'This Body respectfully requests you to appear in behalf of the people of Montana at a hearing set for January 16, 1933, before the Interstate Commerce Commission, which pertains to a petition for reduction in transportation rates on petroleum products to Montana points.' Motion seconded.

More than two members asked for a vote by ayes and noes, and on roll call the following voted:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Dougherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaly, White, Wigal, Mr. Speaker. Total 93.

Noes: Pierson, Replogle, Snidow. Total 3.

Absent and not voting: Groene (Fergus), Miller (Lincoln), Porter, Spangler, Woodcock. Total 5.

The Speaker: 93 have voted "aye", 3 have voted "no", 5 are absent or not voting. The motion is carried.

Besancon: I move that the Committee on Federal Relations be instructed to report Senate Resolution No. 1 immediately after the House resumes this afternoon. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times at length, and referred to the Committees:

H. B. No. 18, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act appropriating money for the payment of the claim of Catherine Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana." Committee on Appropriations.

H. B. No. 19, introduced by Nutting: A Bill for an Act entitled: "An Act relating to the taking of game fish and game and fur-bearing animals relieving damage caused thereby, granting and giving to the State Fish and Game Commission of the State of Montana authority to change or suspend closed seasons and bag limits on game fish and game and fur-bearing animals, and to make and promulgate rules and regulations for the taking, killing, removing or disposing of the same, prescribing penalties for a violation of this Act, and repealing all Acts or parts of Acts in conflict with the provisions hereof." Committee on Fish and Game.

H. B. No. 20, introduced by Annin: A Bill for an Act entitled: "An Act to appropriate money for the payment of assessments on certain school lands in Big Lake Drain District No. 1, Stillwater County, Montana." Committee on Appropriations.

H. B. No. 21, introduced by Committee on Economy: A Bill for an Act entitled: "An Act to amend Section 1617 of Montana Revised Codes of 1921, relating to the powers of County Commissioners in making levies for highway purposes." Committee on Townships and Counties.

Besancon: Move we recess until 1:30 o'clock this afternoon. Motion seconded and carried.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

The Committee on Printing reported as follows:

Helena, Montana, January 13, 1933.

Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 7 and 12, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 5, introduced by Marshall, A Bill for an Act entitled: "An Act to amend Section 566 of the Revised Codes of Montana, 1921, relating to closing of registration and publishing of notices of the same," respectfully report as follows: That House Bill No. 5 be amended as follows:

Strike out in line 16 after the word "therein", the following phrase "for three separate times", and insert in lieu thereof the following phrase "once a week for four successive weeks"; that it be further amended by adding the enacting clauses at the end of the bill as follows: "All Acts or parts of Acts in conflict herewith are hereby repealed"; and "This Act shall be in full force and effect from and after its passage and approval"; do pass as amended.

D. W. CHAPMAN, Chairman.

Chapman: Move the adoption of the report. Seconded. Carried.

Besancon: Move that Fowler of Yellowstone be excused until Monday. Seconded. Carried. Miles of Sweet Grass and Groene of Fergus also excused.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was introduced, read first and second times at length, and referred to the Committee on Ways and Means:

H. B. No. 22, introduced by the Committee on Ways and Means: A Bill for an Act entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund indebtedness of said State evidenced by warrants, and providing for the payment thereof."

Besancon: Move to recess until 2:15.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

DOLLY CUSKER, Chairman.

Cusker: Move the adoption of the report. Seconded. Carried.

Besancon: Move that Senate Joint Resolution No. 1 be placed on General Orders. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for consideration of General Orders. Seconded and carried.

Metlen of Beaverhead in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

METLEN, Chairman.

On motion by Metlen, report adopted.

MOTIONS AND RESOLUTIONS

Besancon: Move that Senate Joint Resolution No. 1 be placed on third reading. Seconded and carried.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 1, introduced by Corwin, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Dougherty, Doran, Duffy, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McDermott, McElwain, Manning, Mason, Metlen, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 88.

Noes: None.

Absent or not Voting: Arnold, Breitenstein, Doe, Fitzstephens, Fowler, Groene (Fergus), McCarvel, Marshall, Miles, Miller (Lincoln), Quamme, Spangler, Waite, Woodcock. Total 13.

The Speaker: Senate Joint Resolution No. 1 has passed the House.

Besancon: Move to adjourn until 10:00 o'clock tomorrow morning. Seconded and carried.

D. A. DELLWO,
Speaker.

JOHN J. JEWELL, Chief Clerk.

THIRTEENTH DAY

House of Representatives,
Helena, Montana, January 14, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.
Mr. Speaker in the Chair.
Invocation by the Chaplain.

On roll call, all members present except: Groene, Miller (Lincoln), Woodcock, all previously excused.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twelfth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

On motion by Rognlien, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Bjorneby: A Bill for an Act entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors; providing further for notice and inspection of electrical construction, appliances, safety devices and apparatus, for the payment of inspection fees and prescribing penalties for violations of this Act."

By Conner: A Bill for an Act entitled: "An Act to amend Section 1061 of the Revised Codes of Montana of 1921 changing the duration of sessions of school in order to entitle a district to receive an apportionment of school moneys."

By Beadle: A Bill for an Act entitled: "An Act to amend Sections 2816, 2841, 2843, and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Sections 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988, and 2989 of the Revised Codes of Montana of 1921; all relating to Workmen's Compensation; and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations."

By McElwain: A Bill for an Act entitled: "An Act creating a highway patrol for the State of Montana, to be under the control and supervision of the Registrar of Motor Vehicles, which division of enforcement shall be known as the Montana Highway Patrol."

By Haight: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 1, of article 12 of the constitution of the State of Montana, relating to revenue and taxation; providing for the levy and collection by the State of taxes upon incomes and the distribution of said taxes."

By Watson of Meagher: A Bill for an Act entitled: "An Act to amend Section 13 of Chapter 146 of the Session Laws of the Twenty-second Legislative Assembly of Montana, 1931, relating to a budget system for making and controlling budget expenditures and tax levies by school districts and changing the budget of the trustees of a school district by the budget board."

By Replogle: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate, and corporation engaging in or carrying on the business of distributing to the public within this State natural gas, to pay to the State Treasurer for engaging in carrying on such business certain license fees for the exclusive

use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of the provisions of this Act."

By Pilgeram: A Bill for an Act entitled: "An Act to amend Section 1999 of the Revised Codes of Montana of 1921, relating to classification of property for taxation."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, January 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Keeley was this day adopted:

"I hereby move that the Resolution introduced by Senator Larson, reducing the per diem of employees of the Senate, and heretofore passed, be rescinded on the ground and for the reason that the same is unlawful and in contravention of and in conflict with both the Constitution and Codes of the State of Montana."

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move that further communications from the Senate be considered read at length and that the Journal so show. Seconded and carried.

Helena, January 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day given:

By Thien: A Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article V of the Constitution of the State of Montana, by adding thereto a Section to be known as Section 46, providing for a state budget and the manner in which appropriations shall be made by the Legislative Assembly."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to Committees:

S. B. No. 17, by Simmons: A Bill for an Act entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1921, relating to exemption of earnings—debts incurred by necessities." Referred to Committee on Judiciary.

S. B. No. 18, by Ruffcorn, Eaton, Angvick and Plank: A Bill for an Act entitled: "An Act to amend Section 1999, Revised Codes of Montana, 1921, relating to the classification of taxable property." Referred to Committee on Taxation.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Standing Committee report was this day on motion, adopted:

"We, your Committee on Employment, beg to report the following person employed by us for the Senate organization:

Agnes McHugh, Stenographer.

(Signed) THIEN, Chairman.

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 23, introduced by Byrne: A Bill for an Act Entitled: "An Act to amend Section 2247 of the Revised Codes of Montana of 1921 relating to the rate of taxation on personal property unsecured by a lien on real estate and repealing Sections 2248 and 2249 of the Revised Codes of Montana, 1921." Committee on Revenue and Taxation.

H. B. No. 24, introduced by O'Shea: A Bill for an Act Entitled: "An Act to provide for state insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith: To provide for the levying of assessment premiums, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act." Committee on State Institutions, Public Buildings and Grounds.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

Haight in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 7 and 12, respectfully report as follows:

That House Bill No. 7 do pass;

That House Bill No. 12 do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

Besancon: Move the House now adjourn until Monday, January 16th, 1933, at 11:15 a. m.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTEENTH DAY

House of Representatives,
Helena, Montana, January 16, 1933.

House convened, pursuant to adjournment, at 11:15 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following: Duffy, Fitzstephens, Fowler, Groene, Harrington, Quamme, Setzer, Shannon, Sullivan.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirteenth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

On motion by Rognlien, report adopted.

Moss: Upon request, I beg leave to present to the House a petition signed by several hundred citizens of Musselshell County, asking the House to reconsider its action upon the question of seating John E. Madring. Referred to Committee on Judiciary.

Replogle: I have a petition signed by several hundred citizens of Musselshell County, on behalf of David Murphy, Jr., which I likewise beg leave to present, by request. Referred to Committee on Judiciary.

Goodwin: Move that the House not consider any report from the Committee on Judiciary on the matter of these two petitions earlier than tomorrow morning. Seconded. Carried.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Goodwin: A Bill for an Act Entitled: "An Act requiring all state and chain banks to have upon deposit at all times a reserve fund or securities approved by the State Bank Examiner or other legally constituted authority having supervision over banks doing business in the State of Montana which reserve fund and securities shall be kept and held or placed upon deposit for the benefit of all depositors of any bank and shall be equal to the full amount of deposits at the end of each day's business and requiring a specified amount to be held in reserve and as security at all times and providing a penalty and liability for failure to comply herewith."

By Dougherty and Stephens: A Bill for an Act Entitled: "An Act to outlaw crop mortgages."

By Stiefel: A Bill for an Act Entitled: "An Act to amend section 4 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of Montana relating to District High Schools, rent of quarters and transportation of high school pupils and authorizing a tax levy thereon."

By Ueland: A Bill for an Act Entitled: "An Act to amend Section 1759 Revised Codes of Montana 1921, as amended by Chapter 81, Session Laws 1929 and Chapter 158 Session Laws 1931, and to amend Section 1760 Revised Codes of Montana, 1921, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1927, Chapter 182 Session Laws 1929, all relating to the registration of motor vehicles, and the fees to be paid therefor."

By Abrahamson: A Bill for an Act Entitled: "An Act Defining 'Stripping,' providing for the hours of labor of said work and providing penalty for the violation of this Act."

By Rognlien: A Bill for an Act Entitled: "An Act to amend Section 813 of the Revised Codes of Montana 1921, providing for the election of presidential electors, and that the names of candidates for president and vice-president of the United States be placed on ballots."

By O'Shea: A Bill for an Act Entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivision thereof; providing for the creation of a board of official bonds and of a fund to be known as the official bond liability fund; prescribing

the duties and powers of said board of official bonds, and prescribing the the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: "We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 7; House Bill No. 12.

H. D. ROLPH, Chairman."

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills No. 5, 14 and 16, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

"Mr. Speaker: We, your Committee on Employment submit the following names recommended for part time work:
Stenographers:

| | |
|--------------------------|------------|
| Margaret Chenwerth | Teton |
| Esther LaHoode | Jefferson |
| Ruth Maiert | Blaine |
| Ann Crimmins | Deer Lodge |
| Ruth Schlensk | Glacier |
| Frances Haroldson | Cascade |
| Rosemary Sullivan | Powell |

Proof Readers:

| | |
|------------------------|-----------------|
| Hugh Carroll | Silver Bow |
| J. T. Harrington | Rosebud |
| John Healy | Silver Bow |
| Francis McEwan | Deer Lodge |
| Gordon Tucker | Lewis and Clark |
| Thomas J. Boyle | Silver Bow |
| T. N. Trudeau | Hill |
| William Dwyer | Lewis and Clark |
| John Morris | Deer Lodge |
| O. M. Green | Petroleum |
| Gerald Stack | Chouteau |
| J. N. Bresnahan | Yellowstone |
| Robert Maxon | Stillwater |

No person on this list shall report to the Sergeant-at-Arms until he shall call for them.

A. T. PORTER, Chairman."

Porter: Moved the adoption of the report. Seconded. Carried.

The following bills were introduced, read first and second times, and referred to committees:

H. B. No. 25, introduced by Replogle: A Bill for an Act Entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate, and corporation engaging in or carrying on the business of distributing to the public within this state, natural gas, to pay to the state treasurer for engaging in carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violation of the provisions of this Act." Committee on Revenue and Taxation.

H. B. No. 26, introduced by Blankenbaker: A Bill for an Act Entitled: "An Act to amend Sections 5183, 5184, 5185, 5186, Revised Codes of Montana, 1921, relating to the licensing and examination of master plumbers and journeyman plumbers in cities and towns of more than three

thousand inhabitants; establishing a system of examination for master plumbers and journeyman plumbers; fixing the fees to be charged for licenses and the disposition of the funds thus created; providing penalties for violations of the provisions of this Act; defining the terms "Master Plumber" and "Journeyman Plumbers." Committee on State Boards and Officers.

H. B. No. 27, introduced by Watson of Meagher: A Bill for an Act Entitled: "An Act to amend Section 13 of Chapter 146 of the Session Laws of the Twenty-Second Legislative Assembly of Montana 1931." Committee on Education.

H. B. No. 28, introduced by Beadle: A Bill for an Act Entitled: "An Act to amend Sections 2816, 2841, 2843, and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the session laws of the Twenty-First Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1921; all relating to workmen's compensation; and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations." Committee on Workmen's Compensation.

THIRD READING OF HOUSE BILLS

House Bill No. 7, introduced by Besancon, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acker, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Dougherty, Doe, Doran, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland) Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total: 92.

Noes: None.

Absent and not voting: Duffy, Fitzstephens, Fowler, Groene (Fergus) Harrington, Quamme, Setzer, Shannon, Sullivan. Total 9.

The Speaker: Ninety-two having voted "aye", none having voted "no", House Bill No. 7 has passed the House.

House Bill No. 12, introduced by Snidow, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acker, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Dougherty, Doe, Doran, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle,

Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland) Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total: 92.

Noes: None.

Absent and not voting: Duffy, Fitzstephens, Fowler, Groene (Fergus), Harrington, Quamme, Setzer, Shannon, Sullivan. Total 9.

The Speaker: Ninety-two having voted "aye", none having voted "no", House Bill No. 12 has passed the House.

The Speaker gave notice of the following changes in Committee memberships:

Committee on Petroleum, Oil and Gas: Rolph of Liberty to replace Jensen of Cascade.

Committee on Revenue and Taxation: Waite of Powder River to replace Findlater of Custer.

Committee on Apportionment and Representation: Jensen of Cascade for Rolph of Liberty.

Committee on Banks and Banking: Findlater of Custer to replace Waite of Powder River.

On motion of Besancon, the House recessed until 1:30 o'clock this afternoon.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

The following resolution was introduced by Ueland, Haight, Metlen, Love, Rolph, Parker of Flathead, Logan:

"Be It Resolved: That all lobbying in the House Chamber while the House is in Session and the interviewing of members by lobbyist at any time while the member is at his desk is prohibited and the Sergeant-at-Arms is instructed to enforce this resolution."

On motion by Ueland, the Resolution was adopted.

The Committee on Livestock was excused for the afternoon.

Besancon: Move that the House now resolve itself into a Committee of the Whole for consideration of General Orders. Seconded and carried.

CONSIDERATION OF GENERAL ORDERS

Freed of Petroleum in the Chair.

House resumed.

Mr. Speaker in the Chair.

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 5, 14 and 16, report as follows:

That House Bill No. 5 do pass;

That House Bills Nos. 14 and 16 be passed for the day.

FREED, Chairman."

On motion by Freed, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, a majority of your Committee on Ways and Means, having had under consideration House Bill No. 22, introduced by the Ways and Means Committee, respectfully report as follows: That House Bill No. 22 be amended as follows:

That the title be amended by inserting after the words "evidenced by" in line 3 the words "General Fund."

Section 1. By inserting after the words "this Act" in line 6 of Section 1 the words "Not exceeding four million five hundred thousand dollars (\$4,500,000.00)."

Section 2. By striking out in line 2 of Section 2 the words and figures "four per cent (4 per cent)" and by inserting in lieu thereof the words and figures "four and one-half per cent (4 1-2 per cent)." Also by striking out all those words and figures commencing with the words and figures "January 1, 1936" in line 8 of Section 2 and ending with the words "balance unpaid" at the end of Page 1 and inserting in lieu thereof the following words and figures:

| | Total Payment | Interest | Applied on Principal | Balance Principal |
|----------------------|------------------|--------------|-------------------------|----------------------|
| July 1, 1933..... | \$..... | \$101,250.00 | \$..... | \$..... |
| July 1, 1934..... | ..... | 101,250.00 | ..... | ..... |
| January 1, 1934..... | ..... | 101,250.00 | ..... | ..... |
| January 1, 1935..... | 282,250.00 | 101,250.00 | 181,000.00 | 4,319,000.00 |
| July 1, 1935..... | 282,177.50 | 97,177.50 | 185,000.00 | 4,134,000.00 |
| January 1, 1936..... | 282,015.00 | 93,015.00 | 189,000.00 | 3,945,000.00 |
| July 1, 1936..... | 281,762.50 | 88,762.50 | 193,000.00 | 3,752,000.00 |
| January 1, 1937..... | 282,420.00 | 84,420.00 | 198,000.00 | 3,554,000.00 |

Pierson: Move that the balance of the report having to do with the maturity of the bonds be considered read at length and that the Journal so show. Seconded and carried.

| | Total Payment | Interest | Applied on Principal | Balance Principal |
|-----------------------|---------------|--------------|-------------------------|----------------------|
| July 1, 1937 | \$281,965.00 | \$ 79,965.00 | \$202,000.00 | \$3,352,000.00 |
| January 1, 1938..... | 282,420.00 | 75,420.00 | 207,000.00 | 3,145,000.00 |
| July 1, 1938 | 281,762.00 | 70,762.50 | 211,000.00 | 2,934,000.00 |
| January 1, 1939 | 282,015.00 | 66,015.00 | 216,000.00 | 2,718,000.00 |
| July 1, 1939 | 282,155.00 | 61,155.00 | 221,000.00 | 2,497,000.00 |
| January 1, 1940 | 282,182.50 | 56,182.50 | 226,000.00 | 2,271,000.00 |
| July 1, 1940 | 282,097.50 | 51,097.50 | 231,000.00 | 2,040,000.00 |
| January 1, 1941 | 281,900.00 | 45,900.00 | 236,000.00 | 1,804,000.00 |
| July 1, 1941 | 281,590.00 | 40,590.00 | 241,000.00 | 1,563,000.00 |
| January 1, 1942 | 282,167.50 | 35,167.50 | 247,000.00 | 1,316,000.00 |
| July 1, 1942 | 281,610.00 | 29,610.00 | 252,000.00 | 1,064,000.00 |
| January 1, 1943 | 281,940.00 | 23,940.00 | 258,000.00 | 806,000.00 |
| July 1, 1943 | 282,135.00 | 18,135.00 | 264,000.00 | 542,000.00 |
| January 1, 1944 | 282,195.00 | 12,195.00 | 270,000.00 | 272,000.00 |
| July 1, 1944 | 278,120.00 | 6,120.00 | 272,000.00 | ..... |

Also by striking out all that portion commencing with line 2 page 2 with the words "provided, however" and ending in line 5 page 2 with the words "interest bearing date thereafter."

Section 3. By striking out the words "full assessed" in line 2 of Section 3 and by inserting in lieu thereof the word "taxable." Also by striking out the words "(not a percentage of true and full value)", in lines 2 and 3 of Section 3.

Section 6. By adding a new section to be numbered Section 6 and to read as follows: "Section 6. Each of said bonds shall be registered before delivery with the State Treasurer of the State of Montana who shall keep accurate accounts of payments of interest and principal upon said bonds." And, by renumbering the present Section 6 and Section 7 to read Section 7 and Section 8 respectively.

Report as follows:

That H. B. No. 22, by Ways and Means Committee, do pass as amended.

JOHN C. ABRAHAMSON.

For Majority of Committee on Ways and Means.

On motion of Abrahamson, report adopted.

Moss: Moved the bill be referred to the Committee on Appropriations: Seconded. Carried. Referred to Committee on Appropriations.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 18, A Bill for an Act Entitled: "An Act appropriating money for the payment of the claim of Catharine Crosslan Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana." Respectfully report as follows:

Recommend that House Bill No. 18 do pass.

SHANNON, Chairman.

On motion of Shannon, report adopted.

Besancon: Move the House adjourn until 11:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SIXTEENTH DAY

House of Representatives
Helena, Montana, January 17, 1933

House convened, pursuant to adjournment, at 11:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following: Doe, Fitzstephens, McCarvel, Porter and Waite, all excused.

The Speaker gave notice that he was about to sign Senate Joint Resolution No. 1, and thereupon signed the same.

Waite, McCarvel, Doe and Fitzstephens, a sub-committee of the Committee on Appropriations, were excused for the day.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifteenth Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Rognlien: Move the adoption of the report. Seconded. Carried.

Porter was excused on account of the death of a relative.

COMMUNICATIONS AND PETITIONS

A proclamation from the American Legislators' Association was read and upon motion of Besancon, duly seconded and carried, the first page of said proclamation is herewith entered in the Journal:

"PROCLAMATION"

On Friday, February 3, 1933, the first Interstate Conference of Legislators will convene in Washington, D. C., to discuss problems of conflicting

axation and to consider means for co-operation between the States in dealing with each other and with the Federal Government in respect thereto.

This notice and invitation is presented to:

The Speaker of the House of Representatives of the State of Montana or the official consideration of this body.

The Senate and the House of Representatives of each of the forty-eight states is entitled—and is urged—to send a delegate, and the Governor of each state is invited to send an adviser to represent him.

A prompt response to this invitation is cordially invited.

THE AMERICAN LEGISLATORS' ASSOCIATION,

WILLIAM B. BELKNAP, (Kentucky).
President.

GEORGE WOODWARD (Pennsylvania).
Vice-President

SEABURY C. MASTIC (New York).
Vice-President.

HENRY W. TOLL (Colorado).
Director.

(SEAL)

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Knowles: A Bill for an Act Entitled: "An Act providing for a basis of imposition of taxes on agricultural land, grazing land and timber land, with improvements thereon, and amending all Acts and parts of Acts in conflict herewith."

By Blankenbaker: A Bill for an Act Entitled: "An Act to re-apportion the representation of the various counties of the State of Montana in the House of Representatives of the Legislative Assembly in accordance with the federal census of 1930."

By Marshall: A Bill for an Act Entitled: "An Act relating to the election of mayor and councilmen under the commission form of government and providing when names of candidates at primary elections shall not be placed upon the general municipal election ballot and when no general municipal election shall be held."

By Woodcock: A Bill for an Act Entitled: "An Act to amend Section 4741 of the Revised Codes of Montana of 1921 relating to the classifications of counties."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. No. 5.

H. D. ROLPH, Chairman."

On motion of Rolph, report adopted.

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 15, A Bill for an Act Entitled: "An Act to appropriate money for payment of mileage and per diem to the presidential electors," respectfully report as follows:

Recommend that House Bill No. 15 do not pass, but that Substitute House Bill No. 15 do pass.

SHANNON, Chairman.

On motion of Shannon, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 1, respectfully report as follows: That House Joint Memorial No. 1 do pass.

DOLLY CUSKER, Chairman."

On motion of Cusker, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 22, A Bill for an Act Entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund indebtedness of said state evidenced by warrants, and providing for the payment thereof," respectfully report as follows: This Committee reports that House Bill No. 22 be printed and placed upon the desks of the members of this House.

SHANNON, Chairman."

Shannon: Move the adoption of the report. Seconded.

Moss: Call for a rising vote.

More than a majority voting for the adoption of the report, count was dispensed with. Motion carried.

NOTICES

"Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day introduce a Resolution entitled:

House Joint Resolution, memorializing Congress and petitioning for the passage of legislation providing for the repeal of the Eighteenth Amendment, and until such repeal, providing for immediate modification of the Volstead Act to permit of the manufacture, sale, and transportation of light wines and beer under a system of State control.

O'CONNELL, Chairman."

CONSIDERATIONS OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: I move the communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, January 16, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

By Committee on Elections and Privileges: That S. B. No. 6, by Garber do pass.

By Committee on Horticulture: That S. B. No. 11 do pass.

By Committee on Oils and Leases: That S. B. No. 10 be re-referred to the Judiciary Committee.

Respectfully,

J. F. CONE, Secretary.

Helena, January 16, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Employment Committee this day reported the selection of the following attaches to serve during the Twenty-Third Legislative Assembly, report adopted:

Stenographers:

Florence Covigan, Effective January 20.

Ethel M. Chadler, Effective January 20.

Mimi Milligan, Effective January 20.

Engrossing Clerk:

Garnys G. Wilson, Effective January 19.

Clerk:

Mrs. Thomas Rucker, Effective January 23.

Page:

Gerald Crowley, Effective January 16.

Page:

Jack F. Parr, to continue as such, he having substituted for G. Crowley who was taken sick at the time when he was to begin his work as Page.

Respectfully,

J. F. CONE, Secretary.

Helena, January 16, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 19, by Kaulbach: A Bill for an Act Entitled: "An Act to define nepotism and to prevent such practice in the State of Montana and prescribing the penalties thereof." Committee on Judiciary.

S. B. No. 20, by Holton and Jergensen: A Bill for an Act Entitled: "An Act extending the time for redemption from tax sale where taxes assessed subsequent to the sale are paid through redemption by the owner or other interested party." Committee on Taxation.

S. B. No. 21, by Holton and Ruffcorn: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 92, Session Laws of 1927, being an Act entitled, 'An Act relating to the giving of notice on application for tax deeds by counties, cities and towns, and legalizing and validating tax deeds heretofore issued to counties, cities and towns.'" Committee on Judiciary.

S. B. No. 22, By Carroll: A Bill for an Act Entitled: "An Act to provide for state insurance of public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection herewith; to provide for the levying of assessment premiums, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act." Committee on Insurance.

S. B. No. 23, by Larson and Campbell: A Bill for an Act Entitled: "An Act to amend section 74 of the Revised Codes of the State of Montana relating to mileage and per diem of members of the Senate and House of Representatives." Committee on State and County Economics.

S. B. No. 24, by Employment Committee: A Bill for an Act Entitled: "An Act to amend Section 76 of the Revised Codes of the State of Montana of 1921 relating to the compensation of other officers and employees of the Senate and the House of Representatives of the State of Montana." Committee on State and County Economics.

S. B. No. 25, by Kaulbach and Galt: A Bill for an Act Entitled: "An Act to amend Sections 4525 and 4526, Revised Codes of Montana, 1921, providing for the letting of contract by Boards of County Commissioners for the care, support and maintenance of the indigent sick, poor and infirm of the county." Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary."

Helena, Montana, January 16, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received.

By Carroll: A Bill for an Act Entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public Officers, boards and commissions of the State and of each and every political subdivision thereof; providing for the creation of a board of official bonds and of a fund to be known as the official bond liability fund; prescribing the duties and powers of said board of official bonds and prescribing the duties of all public officers in regard thereto and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials.

By Jergensen and Staggs: A Bill for an Act Entitled: "An Act creating a board of public control composed of the governor, attorney general and secretary of state to act in place of and instead of the railway commission and the board of railway and public utility commissioners of the State of Montana, repealing Sections 3779, 3786 and 3788, and all amendments thereto, and amending Sections 3784 and 3785 of the Revised Codes of the State of Montana of 1921." This notice is given in lieu of the previous notice of January 12th.

By Page: A Bill for an Act Entitled: "An Act providing for the repeal and amending of certain Chapters and Sections of certain State Laws relating to the sale of insurance by insurance companies who are established within the state and insurance companies without the state, providing certain rules, restrictions and regulations governing the said companies, and providing certain rules, regulations and restrictions governing the sales agents and representatives of said companies, including all fraternal insurance, and providing penalties for violation of the same, and also repealing and amending certain Chapters and Sections of State Laws relating to all loan and brokerage establishments and companies and providing certain laws for the abolishment thereof."

By Clifford: A Bill for an Act Entitled: "An Act to amend Chapter 108, Session Laws of 1925, relative to expenses of officers and employees of the State of Montana."

By Cooper: A Bill for an Act Entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Sections 4 and 5 of Article XVI of the Constitution of the State of Montana relating to the terms of office of all elective county officers."

By Cooper: A Bill for an Act Entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Sections 2, 5, and 6 of Article V of the Constitution of the State of Montana relating to the terms of office of the Senators and Representatives of the Legislative Assembly of the State of Montana and relating further to the meeting time and length of meeting of the Legislative Assembly of the State of Montana."

Respectfully,

J. F. CONE, Secretary.

MOTIONS AND RESOLUTIONS

Besancon: I move that the Speaker appoint a committee of five members of the House to act with a like committee from the Senate in investigating ways and means of licensing and regulating the importation, manufacture and sale of beverages, intoxicating or otherwise, and report with recommendations and prepared bill or bills. The same if enacted, to take effect only if and when the Congress of the United States may authorize the importation, manufacture and sale of such beverages and if and when the Congress and the required number of States may so modify or repeal the Eighteenth Amendment." Seconded and carried.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following bills were introduced, read first and second times, and referred to Committees:

H. B. No. 29, introduced by O'Shea: A Bill for an Act Entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the State and of each and every political sub-division thereof; providing for the creation of a board of official bonds and of a fund to be known as the official bond liability fund; prescribing the duties and powers of said board of official bonds and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials." Committee on State Boards and Officers.

H. B. No. 30, introduced by Rognlien: A Bill for an Act Entitled: "An Act to amend Section 813 of the Revised Codes of Montana, 1921, providing for the election of presidential electors and that the names of the candidates for president and vice-president of the United States be placed on ballots." Committee on Privileges and Elections.

H. B. No. 31, introduced by Stiefel: A Bill for an Act Entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of Montana, relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy therefor." Committee on Education.

H. B. No. 32, introduced by Abrahamson: A Bill for an Act Entitled: "An Act defining 'strip mining,' providing for the hours of labor of said work and providing penalty for the violation of this Act." Committee on Labor.

H. B. No. 33, introduced by Bjorneby, by request: A Bill for an Act Entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors; providing further for notice and inspection of electrical construction, appliances, safety devices and apparatus, for the payment of inspection fees and prescribing penalties for violations of this Act." Committee on Public Utilities and State Commissions.

H. B. No. 34, introduced by Holecek: A Bill for an Act Entitled: "An Act to amend Section 3697 of the Revised Codes of Montana, 1921, as amended by Chapter 192 of the laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 59 of the laws of the twentieth Legislative Assembly of the State of Montana, 1927, and again amended by Chapter 152 of the laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, relating to open season for deer, and providing penalties for the violation thereof." Committee on Fish and Game.

H. B. No. 35, introduced by Ballard: A Bill for an Act Entitled: "An Act to amend Section 4775 of the Revised Codes of Montana for the year 1921, relating to the appointment of under-sheriffs." Committee on Townships and Counties.

THIRD READING OF HOUSE BILLS

House Bill No. 5, introduced by Marshall, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Bryne, Campbell, Chapman, Conner, Cusker, Dougherty, Doran, Ecton, Ferry, Findlater, Fowler, Freudenstein, Givens, Grabow, Green, Groene, Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rear-

den (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: Goodwin. Total 1.

Absent and not voting: Beadle, Doe, Duffy, Fitzstephens, McCarvel, Porter, Waite. Total 7.

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Marshall of Missoula in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 14 and 16, respectfully report as follows:

That House Bill No. 14 do pass.

That House Bill No. 16 do pass.

MARSHALL, Chairman."

On motion by Marshall, report adopted.

On motion of Besancon, House recessed until 2:00 o'clock this afternoon.

AFTERNOON SESSION

House resumed at 2:00 o'clock.

Mr. Speaker in the Chair.

NOTICES

"Mr. Speaker: I hereby give notice that I will on tomorrow or some subsequent day, introduce a bill entitled: A Bill for an Act Entitled: "An Act to provide for a highway patrol under the supervision of the highway commission, and defining the powers and duties of highway patrolmen."

GRABOW.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your committee on Banks and Banking, having had under consideration House Bill No. 8, a Bill for an Act Entitled: "An Act to amend Section 12 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana as amended by and also to amend, Chapter 163 of the Session Laws of the Twenty-First Legislative Assembly and to amend Section 45 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly all of said State and to repeal Chapter 168 of the Laws of 1931, all relating to the powers, duties and reports of Building and Loan Associations and to permit such associations to subscribe to the stock, of, borrow money from, pledge their securities to, conform to the laws creating and become members of the Federal Home Loan Banks of the United States." Respectfully report as follows: That House Bill No. 8 do pass.

ROGNLIEN, Vice-Chairman."

On motion of Rognlien, report adopted.

MOTIONS AND RESOLUTIONS

Besancon: I move that when the House adjourns on Friday of this week, that it adjourn until Monday of next week at 2:00 o'clock p. m. Seconded and carried.

Besancon: Move the House adjourn until 11:00 o'clock tomorrow morning. Seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SEVENTEENTH DAY

House of Representatives,
Helena, Montana, January 18, 1933.

House convened, pursuant to adjournment, at 11:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by Chaplain.

On roll call, all members present except the following: Findlater, excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Sixteenth Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

On motion of Rognlien, report adopted.

COMMUNICATIONS AND PETITIONS

A communication was read from the Democratic Business and Professional Club of Montana, inviting the Democratic members to a Jackson Day Dinner to be held at the Silver Bow Club in Butte, on January 21st.

A communication was read from the Missoula Taxpayer's Association, presenting a letter protesting against the passage of the bill creating and providing a highway patrol; and protesting against the passage of a measure to issue bonds to absorb outstanding warrant indebtedness of the State of Montana. On motion of Besancon, reading of and action upon the resolutions was deferred.

A communication from the Lewis and Clark Mining Association was read as follows:

Helena, Montana,
January 16, 1933.

To the Honorable Dennis Dellwo,
Speaker of the House.

I am transmitting herewith a resolution endorsed by the Lewis and Clark Mining Association, duly assembled meeting at Helena, Montana, on the 11th day of January, 1933, in which the early passage and approval of the United States Senate Bill No. 2487, by Honorable Burton K. Wheeler, providing for the free and unlimited coinage of silver on the basis of 16 to 1 was heartily and unqualifiedly endorsed.

It was the sense of this meeting that the silver question is a world-wide one, and this meeting endorsed it on that basis; nevertheless, bi-metallism would mean millions of dollars each year to the citizens of Montana and to the reopening of its many silver mines, as well as smelters.

We respectfully request that early consideration be given this resolution.

(SIGNED) JOSEPH OKER,
President of the Lewis and Clark
Mining Association.

RESOLUTION

Resolved, By the Lewis and Clark County Mining Association, in meeting duly assembled at Helena, Montana, this 11th day of January, 1933, that we heartily and unqualifiedly endorse and urge the passage and approval of U. S. Senate Bill No. 2487, introduced by Montana's Senator, the Honorable Burton K. Wheeler, for the free and unlimited coinage of silver at 16 to 1; and further ask the Montana Legislative Assembly, now in Session, to memorialize the Congress and President of our Nation for the passage and approval, respectively, of said Bill.

Resolved, Further as the sense of this meeting, briefly stated, that the foregoing endorsement is made, and memorialization sought, in the firm conviction that no great question is ever settled until it is settled right. Montana is not asking, nor seeking, nor does it believe in any dole or subsidy for the mining and metal interests.

We believe and maintain that preferably International Bi-metallism should be promptly accomplished if possible; but if not, then the United States, as the Creditor Nation of the World and foremost in the interest of mankind and humanity at large, should, with the aid of as many Nations as possible, or if necessary, alone, in the common cause of mankind for their economic betterment, proceed with bi-metallism at said ratio. We believe in sound money. We do not want a cheap dollar; but we do maintain that our Nation and its people, and humanity at large are sorely in need of sounder money, an honest dollar, on a precious metal basis, sufficient in amount and adequately stabilized to meet the needs and requirements of our people at large. It is well to recall that under the Federal Constitution, Congress has the power "to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures."

JOSEPH OKER,

Chairman.

C. R. BRAZIER,

Secretary.

Edward Horsky
F. H. Donaldson
Charles P. Cotter
Committee on Resolution.

Upon motion of Besancon, the communication and accompanying resolution were referred to the Committee on Federal Relations.

Besancon called attention to a letter which was found on the desks of some of the members, signed by a party designating himself the "Commissioner of Insurance," understood to be the Commissioner of Insurance of the State of Wisconsin; a party not known to the members generally; and suggested that the practice be discontinued and that any member whose attention is called to anything of the kind in the future see that it is stopped.

The Speaker: The Sergeant-at-Arms has been instructed not to permit anything to be put upon the desks of the members, by the Pages, until passed upon by the Sergeant-at-Arms and approved by him.

NOTICES

Authors gave notice that they will, upon tomorrow or some subsequent day, introduce bills as follows:

By Freudenstein: A Bill for an Act Entitled: "An Act to provide for the disposition of moneys heretofore or hereafter seized or taken, and confiscated in cases of the violation of the gambling laws of the State of Montana."

By Haight: A Bill for an Act Entitled: "An Act providing for the maximum legal rate of interest effective in Montana; defining usurious interest contracts; providing for the cancellation of said contracts; pro-

viding for building association contracts; defining salary and chattel mortgage loans and fixing the legal rate of interest thereon; prescribing for the violation of the provisions of this Act; and repealing Sections 7725, 7726, 7727 and 7728 of the Revised Codes of Montana 1921."

By Kuhl: A Bill for an Act Entitled: "An Act to appropriate moneys from the fish and game fund of the State of Montana for payment of claim of A. A. Ellis for damages and injury caused by elk transported to Red Lodge by the fish and game department and Rod and Gun Club."

By Ballard: A Bill for an Act Entitled: "An Act to amend Section 9104 of the Revised Codes of Montana of 1921, relating to costs of trial as between counties in actions after change of place of trial and for reimbursement of such costs to counties by unsuccessful parties in such actions."

By Lott: A Bill for an Act Entitled: "An Act to amend Section 2038 of the Revised Codes of Montana for 1921, relating to traveling expenses of the county assessor and deputies."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills, correctly engrossed: H. B. No. 16, No. 14.

ROLPH, Chairman."

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 22, beg leave to report that the same has this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

"Mr. Spaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 21, introduced by the Economy Committee, "A Bill for an Act Entitled: 'An Act to amend Section 1617 of the Montana Revised Codes of 1921, relating to the powers of county commissioners in making levies for highway purposes,'" respectfully report as follows:

That House Bill No. 21 be amended as follows: Strike out in line 10 after the word "of" the words "not less than two mills and," do pass as amended.

BYRNE, Chairman."

On motion of Byrne, report adopted.

"Mr. Speaker: We, a majority of your Committee on Judiciary having had under consideration the two petitions respectively referring to John E. Sadring and David Murphy, Jr., as representatives from the County of Musselshell, and each being signed by certain citizens of said county, and the House of Representatives having heretofore determined that the said John E. Sadring was not entitled to membership in the House of Representatives, and the House having further declared that said seat was vacant in effect denied the right of David Murphy, Jr., to membership in said House, and motion for reconsideration having failed of passage, the right of either John E. Sadring or David Murphy, Jr., to a seat upon contest and by reason of receiving a popular vote is closed by such action of the House, therefore a majority of your Committee on Judiciary is of the opinion that a precedent should not be established of seating a member on petition and recommends that each of the aforesaid petitions be denied.

MERLE GROENE, Chairman
JOHN W. ACHER
BESANCON
GEORGE W. PIERSON
E. J. BYRNE
EDWARD E. GRABOW
ELDER FREED
TIMOTHY MILLER"

"Mr. Speaker: We, a minority of your Committee on Judiciary having had under consideration the respective petitions of John E. Sadring and David Murphy, Jr., to be seated as Representative from Musselshell County respectfully reported as follow: We, a minority of your Committee on Judiciary, recommend that the petition of David Murphy, Jr., be accepted and the said David Murphy, Jr., be seated as the Representative from Musselshell County and a member of this House; and that the petition of the said John E. Sadring be hereby denied.

M. KERR BEADLE
BERT REPLOGLE
JERRY J. O'CONNELL."

"Mr. Speaker: We a minority of your Committee on Judiciary having had under consideration the respective petitions of John E. Sadring and David Murphy, Jr., to be seated as Representative from Musselshell County, respectfully reported as follows: We, a minority of your Committee on Judiciary, recommend that the petition of John E. Sadring be accepted and the said John E. Sadring be seated as the Representative from Musselshell County and a member of this House; and that the petition of the said David Murphy, Jr., be hereby denied.

NELSTEAD
ECTON."

Groene: Move the Majority Report be adopted. Seconded.

O'Connell: As a substitute motion, move the adoption of the minority report recommending that the petition of David Murphy, Jr., be accepted. Seconded.

Nelstead: As a substitute for all pending motions, move the adoption of the minority report recommending that the petition of John E. Sadring be accepted. Seconded.

Beadle: Move to have placed before the House all evidence in connection with the said contest. Seconded.

Knowles: Move that all the evidence and the opinion of the Attorney General be printed and placed on the desks of the members. Seconded. Motion lost.

Pierson: Move that in lieu of the motion that all evidence be produced before the House, that the Committee on Privileges and Elections give us a summary of the evidence presented to it.

By consent of Beadle, his motion is so amended, and the motion as so amended was carried.

Besancon: Move that the entire matter now pending before the House be postponed until 2:00 o'clock this afternoon. Seconded and carried.

Besancon: Move the House recess until 2:00 o'clock this afternoon. Seconded and carried.

AFTERNOON SESSION

House resumed at 2:00 o'clock p. m.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Lott: A Bill for an Act Entitled: "An Act to amend Section 2038 of the Revised Codes of Montana of 1921, as amended by Chapter 43 of the Session Laws of 1925, relating to travelling expenses of the county assessor and deputies."

By Dougherty and Stephens: A Bill for an Act Entitled: "An Act to amend Section 8290 of the Revised Codes of the State of Montana of 1921 relating to mortgages on growing crops and the Lien thereof."

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Besancon: Move that the communications from the Senate be considered read at length and that the Journal so show. Seconded and carried.

Helena, January 17, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following motion by Walker was this day adopted:

"I move that the President of the Senate appoint a committee of five members of the Senate to act with a like committee from the House in investigating way and means of licensing and regulating the importation, manufacture and sale of beverages, intoxicating or otherwise, and report with recommendations and prepare a bill or bills. The same if enacted to take effect only if and when the Congress of the United States may authorize the importation, manufacture and sale of such beverages and if and when the Congress and the required number of states may so modify or repeal the Eighteenth Amendment. Walker."

Whereupon the President named the following Senators to act as such committee from the Senate: Senators Willis, Walker, Eaton, Larson and Campbell.

Respectfully,

J. F. CONE, Secretary.

Helena, January 17, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second times, and referred to committees:

S. B. No. 26, by Rowland: A Bill for an Act Entitled: "An Act relating to the floating indebtedness of counties outstanding at the close of the fiscal year ending June 30, 1933, and providing for the issuance of bonds to fund indebtedness or the levying of special taxes to pay such floating indebtedness." Referred to Committee on Counties and Towns.

S. B. No. 27, by Carroll: A Bill for an Act Entitled: "An Act providing for the furnishing of official bonds by the State of Montana for all public officers, boards and commissions of the state and of each and every political subdivisions thereof; providing for the creation of a board of official bonds and of a fund to be known as the official bond liability fund; prescribing the duties and powers of said board of official bonds, and prescribing the duties of all public officers in regard thereto, and for the adjustment and settlement of liabilities thereby, and to prevent any other manner of bonding public officials." Referred to Committee on State Boards and Offices.

Respectfully,

J. F. CONE, Secretary.

Helena, January 17, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Taxation, having had under consideration S. B. No. 3, by Burr, recommended that the same be amended as follows, and as so amended, the bill do pass, report adopted:

Amend by striking out in line 7, page 1, the words and figures, "October 1st, 1933," and substituting therefor the words and figures, "November 30th, 1934"; by striking out in line 8, page 1, the words and figures, "October 1st, 1933," and substituting therefor the words and figures, "November 30th, 1934."

Amend by striking out in line 32, page 1, the words and figures, "first day of October, 1933," and substituting therefor the words and figures, "30th day of November, 1934."

Amend further by adding after the word, "thereof," in line 13 of page 2, the following words: "by reason of the existence of an extraordinary emergency"; by striking out in line 17 of page 2, the words, "first day of October" and substituting therefor the words and figures, "30th day of November"; by striking out in line 18 of page 2 the figures, "1933" and substituting therefore the figures, "1934."

Respectfully,

J. F. CONE, Secretary.

Helena, Montana, January 17, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following notices of introduction were this day received:

By Willis: A Bill for an Act Entitled: "An Act to amend Section 4524 of Chapter 12 of the Revised Codes of Montana, 1921, relating to 'when a person may receive relief from the county'; and repealing all Acts and parts of Acts in conflict herewith."

By Pauline and Clifford: A Senate Joint Memorial to the President of the United States, to the Congress of the United States, to the Interstate Commerce Commission, and to the Reconstruction Finance Corporation, relating to the enactment of adequate legislation, to prevent the loan or advancing of funds, by the United States, until certain legislation is enacted.

By Sparling: A Bill for an Act Entitled: "An Act to amend Section 8290 of the Revised Codes of the State of Montana of 1921 relating to mortgages on growing crops and the lien thereof."

By Ruffcorn, Eaton, Plank, Angvick and Sparling: A Bill for an Act Entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all agricultural lands with the improvements thereon and upon all city and town lots with improvements thereon used for residence or dwelling purposes."

By Ekegren: A Bill for an Act Entitled: "An Act relating to vehicles used in conveying children to and from school, providing rules and regulations governing such vehicles and the driving and operation thereof, and prescribing the duties of drivers of other vehicles with regard thereto."

By Simmons: A Bill for an Act Entitled: "An Act to repeal Section 2323 of the Revised Codes of Montana, 1921, as amended by Chapter 74 of the Session Laws of the Twenty-Second Legislative Assembly, and to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325 and 2326 of the Revised Codes of Montana, 1921, coal mines license tax."

Respectfully,

J. F. CONE, Secretary.

MOTIONS AND RESOLUTIONS

Besancon: Move that House Bill No. 22 be placed on General Orders Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were introduced, read first and second times and referred to committees:

H. B. No. 36, introduced by Conner: A Bill for an Act Entitled: "An Act to amend section 1061 of the Revised Codes of Montana of 1921 changing the duration of sessions of school in order to entitle a district to receive an apportionment of school moneys." Committee on Education.

H. B. No. 37, introduced by L. C. McElwain: A Bill for an Act Entitled: "An Act creating a highway patrol for the State of Montana, under the control and supervision of the registrar of motor vehicles; providing for the organization, regulation, powers and duties; and providing a fund for the maintenance of such patrol." Committee on Highways.

H. B. No. 38, introduced by Knowles: A Bill for an Act providing for a basis of imposition of taxes on agricultural land, grazing land and timber land, with improvements thereon, and amending all Acts and parts of Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 39, introduced by Marshall: A Bill for an Act Entitled: "An Act relating to the election of mayor and councilmen under the commission form of government and providing when names of candidates at primary elections shall not be placed upon the general municipal election ballot and when no general municipal election shall be held." Committee on Privileges and Elections.

THIRD READING OF HOUSE BILLS

House Bill No. 14, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Arnold, Balgord, Beadle, Breitenstein, Byrne, Campbell, Doe, Doran, Duffy, Ferry, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green, Groene, Hagerty, Harlen, Jensen, Larsen, Lewis, Logan, Lott, Love, McCarvel, Marshall, Mason, Metlen, Moss, Mulholland, Nelstead, Nutting, O'Connell, Pierson, Pilgeram, Quamme, Reardon, (Cascade), Rognlein, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens, Stiefel, Waite, Watson, Watson, Mr. Speaker: Total, 53.

Noes: Abrahamson, Anderson, Annin, Ballard, Besancon, Bjerneby, Chapman, Conner, Cusker, Dougherty, Ecton, Freed, Haight, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, McDermott, McElwain, Manning, Miles, Miller, Miller, Nass, O'Shea, Parker, Parker, Ragen, Ralston, Reardon, (Deer Lodge), Roll, Rolph, Sparling, Stevens, Strange, Sullivan, Trenne, Ueland, Whaley, White, Wigal, Woodcock. Total 45.

Absent: Blankenbaker, Findlater, Porter. Total 3.

House Bill No. 14 has passed the House.

House Bill No. 16, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Dougherty, Doe, Doran, Duffy, Ecton, Ferry, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green, Groene, Hagerty, Harlen, Hilger, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller, Miller, Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker, Parker, Pierson, Pilegram, Quamme, Ragen, Ralston, Reardon, Reardon, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens, Stevens, Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson, Watson, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 92.

Noes: Haight, Harrington, Knowles, Sparling. Total 4.

Absent: Blankenbaker, Findlater, Freed, Holecek, Porter. Total 5.

Mr. Speaker: House Bill No. 16 has passed the House.

The Speaker appointed the following committee to devise legislation for the sale of beverages: Rognlien of Flathead, Chairman, Groene of Fergus, Vice-Chairman, Breitenstein of Hill, Setzer of Phillips and McElwain of Powell.

Besancon: Move we now take up the question which was under discussion this morning and deferred until this afternoon, namely, a majority report and two minority reports of the Committee on Judiciary in re: Murphy-Sadring contest.

On motion duly seconded and carried, the House heard the evidence as summarized by Love of Dawson.

Mr. Speaker: The question now arises upon the motion of Nelstead of Carter, the adoption of the minority report recommending the seating of Sadring. A roll call was asked for, and the following members voted "aye":

Ayes: Anderson, Annin, Arnold, Balgord, Ecton, Fowler, Green, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Marshall, Metlen, Miles, Moss, Nelstead, Quamme, Roll, Setzer, Snidow, Spangler, Sparling, Stevens, Ueland, Watson, Watson. Total, 29.

Noes: Acher, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Dougherty, Doran, Duffy, Ferry, Freed, Freudenstein, Givens, Goodwin, Grabow, Groene, Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Love, McDermott, McElwain, Manning, Mason, Miller, Miller, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker, Parker, Pierson, Pilgeram, Ragen, Ralston, Rearden, Reardon, Replogle, Rognlien, Rolph, Schuster, Somerville, Stephens, Stiefel, Strange, Trenne, Whaley, White, Wigal. Total 61.

The following members "passed":

Abrahamson, Shannon, Woodcock, Mr. Speaker. Total 4.

The following were absent: Blankenbaker, Doe, Findlater, Fitzstephens, McCarvel, Porter, Sullivan, Waite. Total 7.

Mr. Speaker: Twenty-nine have voted "aye", 61 have voted "no"; the motion is lost.

The Speaker: The question now arises on the motion of O'Connell of Silver Bow, to adopt the minority report recommending the seating of Murphy. A roll call was asked for, and the following members voted "aye":

Ayes: Abrahamson, Acher, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Breitenstein, Campbell, Chapman, Conner, Cusker, Doran, Duffy, Ferry, Fowler, Freed, Freudenstein, Givens, Harrington, Hilger, Love, McDermott, Mason, Mulholland, Nutting, O'Connell, Ragen, Rearden, Reardon, Replogle, Schuster, Sullivan, Whaley. Total 35.

Noes: Anderson, Bjorneby, Byrne, Dougherty, Ecton, Goodwin, Grabow, Green, Groene, Haight, Harlen, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McElwain, Manning, Marshall, Metlen, Miles, Miller, Miller, Moss, Nelstead, O'Shea, Parker, Parker, Pierson, Pilgeram, Quamme, Ralston, Rognlien, Roll, Rolph, Setzer, Snidow, Somerville, Sparling, Stevens, Stiefel, Strange, Trenne, Ueland, Watson, Watson, White, Wigal. Total 53.

The following members "passed": Hagerty, Nass, Shannon, Spangler, Stephens, Woodcock, Mr. Speaker. Total 6.

The following were absent: Blankenbaker, Doe, Findlater, Fitzstephens, McCarvel, Porter, Waite. Total 7.

The Speaker: Thirty-five have voted "aye," 53 have voted "no." The motion is lost.

The Speaker: The question now arises on the motion of the gentleman from Fergus, that the majority report be adopted. Carried.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Motion seconded and carried.

Duffy of Hill in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

That House Bill No. 22 be amended as follows:

Section 2: In lines 1 and 2, strike out the words and figures "four and one-half per cent (4 1-2 per cent)" and insert in lieu thereof the words and figures "four per cent (4 per cent)";

By striking out the two amendments of a majority of the Ways and Means Committee, which amendments in effect provide for their payment of all interest and principal of such bonds in a ten (10) year period and inserting in lieu thereof the words and figures contained in the original House Bill No. 22, which table in the original bill provides for repayment of principal and interest in a period of twenty (20) years;

By striking out the amendment of the Ways and Means Committee, which amendment was to strike out that portion commencing with line 2, page 2, and inserting in lieu thereof the words and figures as contained in the original bill.

Section 3. By striking out the two amendments proposed by the Ways and Means Committee, which amendments were to the effect that the levies be made on the taxable value of the property instead of the full assessed value, and inserting in lieu thereof the words and figures as contained in the original bill.

To insert a new section to be numbered Section 7 to read as follows:

The appropriation hereinabove provided for shall be deemed and held valid notwithstanding the provisions of the Budget Act, and that the following sections be renumbered accordingly, and that as so amended, the bill do pass.

DUFFY, Chairman.

On motion of Duffy, report adopted.

Besancon: Move that House Bill No. 22 be correctly engrossed as soon as possible, and that it be re-printed and placed upon the desks of the members before third reading. Seconded and carried.

Besancon: Move to adjourn to 11:00 o'clock tomorrow morning. Seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

EIGHTEENTH DAY

House of Representatives,
Helena, Montana, January 19, 1933.

House convened, pursuant to adjournment, at 11:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except: Findlater, excused, Porter, excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Seventeenth Legislative Day, find the same to be correct.

ROGNLIEN, Vice, Chairman.

On motion of Rognlien, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Rolph and Blankenbaker: A Bill for an Act Entitled: "An Act to fix the fiscal year of counties and cities for budget administrative purposes only, from January first to December thirty-first of each year instead of from July first of one year to June thirtieth of the following year as now provided; and to provide for an eighteen month budget for the period from July first, 1933, to December thirty-first, 1934, which is made necessary by this proposed change."

By Breitenstein: A Bill for an Act Entitled: "An Act permitting Herman A. Kruger of Hill County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident."

By Committee on Agriculture: A Bill for an Act Entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvements thereon (except improvements used for business on industrial purposes.)"

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 8, Sub. 15, 18, beg leave to report that the same have this date been returned from the printer correctly printed.

SOMERVILLE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 30, introduced by Rognlien, A Bill for an Act Entitled: "An Act to amend Section 813 of the Revised Codes of Montana, 1921, providing for the election of presidential electors and that the names of the candidates for president and vice-president of the United States be placed on ballots." Respectfully report as follows: That House Bill No. 30 do pass.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 6, introduced by Parker of Flathead. A Bill for an Act Entitled: "An Act to amend Section 662 Revised Codes of Montana, 1921, as amended by Chapter 34 of the Session Laws of 1929 and relating to county and city central committees and their powers and providing for two county central committeemen, one a man and one a woman, for each county precinct, and two such state central committeemen, one a man and one a woman, from each county."

Respectfully report as follows: That House Bill No. 6 be amended as follows: In line 20, insert the words "of which shall be" after the second word "one"; do pass as amended.

CHAPMAN, Chairman.

On motion of Chapman, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Helena, Montana, January 18, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 5, was this day introduced in the Senate, read first and second time, and referred to Committee on Elections and Privileges.

Respectfully,

J. F. CONE, Secretary.

Besancon: Move that further communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, January 18, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following motion was this day adopted:

"Moved by Senator Kane, duly seconded and carried, that the Chairman of the Industrial Accident Board be respectfully requested to furnish to the Senate detailed information in line with the motion previously presented to Senate by Senator Parkin on January 4th."

Respectfully,

J. F. CONE, Secretary.

Helena, January 18, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Husband: A Bill for an Act Entitled: "An Act to amend Section 12288 of the Revised Codes of Montana for 1921, relating to the appointment, salary and duties of probation officers."

By Corwin: A Bill for an Act Entitled: "An Act to amend Section 813 of the Revised Codes of Montana, 1921, providing for the election of presidential electors and that the names of the candidates for president and vice-president of the United States be placed on ballots."

By Parkin and MacGillvra: A Bill for an Act Entitled: "An Act to amend Section 4058, Revised Codes of Montana, 1921, defining the term 'real estate broker.'"

By Ekegren: A Senate Joint Memorial Entitled: "A Joint Memorial memorializing the congress of the United States for a more lenient settlement of the 1932 federal seed loans."

Respectfully,

J. F. CONE, Secretary.

Helena, January 18, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on State and County Economies: Recommend that S. B. No. 24, by Employment Committee, be amended by striking out Section Three (3), and as so amended, do pass.

Committee on State and County Economies: Recommend that S. B. No. 23, by Larson and Campbell, do pass.

Respectfully,

J. F. CONE, Secretary.

Helena, January 18, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. J. M. No. 1 do pass.

Respectfully,

J. F. CONE, Secretary.

Helena, Montana, January 18, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 28, by Ekegren: A Bill for an Act Entitled: "An Act relating to vehicles used in conveying children to and from school, providing rules and regulations governing such vehicles and the driving and operation thereof, and prescribing the duties of drivers of other vehicles with regard thereto." Referred to Committee on Roads and Highways.

S. B. No. 29, by Clifford: A Bill for an Act Entitled: "An Act to amend Chapter 108, Sessions Laws of 1925, Montana, relating to expense of officers and employees of the State of Montana." Referred to Committee on State and County Economies.

S. B. No. 30, by Thien: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article V of the Constitution of the State of Montana, by adding thereto a section to be known as Section 46, providing for a state budget and the manner in which appropriations shall be made by the Legislative Assembly." Referred to Committee on Constitutional Amendments.

S. B. No. 31, by Ruffcorn, Eaton, Plank, Angvick and Sparling: A Bill for an Act Entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all agricultural lands with the improvements thereon and upon all city and town lots with improvements thereon used for residence or dwelling purposes." Referred to Committee on Counties and Towns.

S. B. No. 32, by Carroll: A Bill for an Act Entitled: "An Act providing that all property exempt from execution or forced sale shall be exempt from seizure and sale for taxes duly levied against it where exemption is claimed at any time prior to seizure or sale; providing the methods of giving notice of claim of exemption." Referred to Committee on Judiciary.

S. J. M. No. 3, by Pauline and Clifford: A Memorial to the President of the United States, to the Congress of the United States, to the Interstate Commerce Commission, and to the Reconstruction Finance Corporation, relating to the enactment of adequate legislation, issuing of executive or other order to prevent the loaning or advancing of funds to railroad companies, insurance companies, banks or other financial institutions, by the United States until the salaries of all their executives and other employees are reduced and made commensurate with the value of services rendered and based upon the net annual earnings of the companies and corporations applying for government loans, and that the value of property owned by any individual be subject to limitation through appropriate income tax and inheritance tax legislation, to the end that individual wealth and combinations of individual wealth may be forever precluded from exercising political power and control through and because of opulency, and that railroad transportation rates be reduced that business activities may be stimulated rather than retarded." Referred to Committee on Railroads and Transportation.

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bill was introduced, read first and second time at length, and referred to the Committee on Appropriations:

H. B. No. 40, introduced by Kuhl: A Bill for an Act Entitled: "An Act to appropriate moneys from the fish and game fund of the State of Mon-

tana for payment of claim of A. A. Ellis for damages and injury caused by elk transported to Red Lodge by the fish and game department and Rod and Gun Club."

The following Bills were introduced, read first and second time and referred to committees:

H. B. No. 41, introduced by Dougherty and Stephens: A Bill for an Act Entitled: "An Act to amend Section 8290 of the Revised Codes of the State of Montana of 1921 relating to mortgages on growing crops and the lien thereof." Committee on Agriculture.

H. B. No. 42, introduced by Ballard: A Bill for an Act Entitled: "An Act to amend Section 9104 of the Revised Codes of Montana of 1921 relating to costs of trial as between counties in actions after change of place of trial and for reimbursement of such costs to counties by unsuccessful parties in such actions." Committee on Judiciary.

H. B. No. 43, introduced by Haight: A Bill for an Act Entitled: "An Act providing for the maximum legal rate of interest effective in Montana; defining usurious interest contracts; providing for the cancellation of said contracts; providing for building association contracts; defining salary and chattel mortgage loans and fixing the legal rate of interest thereon; prescribing penalties for the violation of the provisions of this act; and repealing Sections 7725, 7726, 7727 and 7728 of the Revised Codes of Montana, 1921." Committee on Judiciary.

H. B. No. 44, introduced by Lott: A Bill for an Act Entitled: "An Act to amend Section 2038 of the Revised Codes of Montana of 1921, as amended by Chapter 43 of the Session Laws of 1925, relating to traveling expenses of the county assessor and deputies." Committee on Townships and Counties.

H. B. No. 45, introduced by Freudenstein: A Bill for an Act Entitled: "An Act to provide for the disposition of moneys heretofore or hereafter seized or taken, and confiscated in cases of the violation of the gambling laws of the State of Montana." Committee on Judiciary.

Rognlien: The Committee on Revenue and Taxation desire more time to consider House Bills Nos. 4 and 17. Granted.

Besancon: Move the House now recess until 2:00 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Livestock and Public Ranges having had under consideration House Bill No. 11, A Bill for an Act Entitled: "An Act making it unlawful to use or attempt to use any anchored snare trap for the purpose of snaring any animal or bird and providing a penalty for the violation thereof," respectfully report as follows: That House Bill No. 11 do pass.

ARNOLD, Chairman.

On motion by Arnold, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Appropriations Committee: A Bill for an Act Entitled: "An Act appropriating money for the two years beginning July 1st, 1933, and ending June 30, 1935, for the payment of refunds or drawbacks under the

provisions of Chapter 168, laws of the Twenty-First Legislative Assembly of the State of Montana, or any amendments thereto, relating to refunds of license taxes paid by dealers in gasoline."

By Appropriations Committee: A Bill for an Act Entitled: "An Act appropriating money for the state highway commission for the period beginning July 1, 1933, and ending June 30, 1935."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. No. 22.

H. D. ROLPH, Chairman."

On motion of Rolph, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 40, A Bill for an Act Entitled: "An Act to appropriate moneys from the fish and game fund of the State of Montana for payment of claim of A. A. Ellis for damages and injury caused by elk transported to Red Lodge by the fish and game department and Rod and Gun Club," respectfully report as follows:

That House Bill No. 40 be re-referred to the Fish and Game Committee.

SHANNON, Chairman."

On motion of Shannon, report adopted.

THIRD READING OF HOUSE BILLS

Mr. Speaker: I shall rule at this time on the question which was raised yesterday, whether a two-thirds vote is necessary on appropriation measures: As the only rule to this effect is found in the Budget Act, and as it is inherent in any body to repeal its own acts, this House has authority to repeal that provision of the Budget Act and as to House Bill No. 14 has done so, so far as that Bill is in conflict with the Budget Act, and House Bill No. 14 passed the House.

House Bill No. 22, introduced by Committee on Ways and Means, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Campbell, Conner, Cusker, Doe, Doran, Duffy, Ecton, Ferry Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Harrington, Hagerty, Jensen, Larsen, Logan, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miller (Lincoln), Moss, Mulholland, Nelstead, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stiefel, Sullivan, Trenne, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 65.

Noes: Acher, Byrne, Chapman, Dougherty, Freed, Green (Dawson), Haight Harlen, Hilger, Holecsek, Knowles, Kruse, Kuhl, Lewis, Lott, Love, Manning, Miles, Miller (Big Horn), Nass, Nutting, O'Shea, Pilgeram, Ragen, Replogle, Rolph, Schuster, Sparling, Stevens (Wheatland), Strange, Ueland, Woodcock. Total: 32.

Absent and not voting: Blankenbaker, Findlater, Fowler, Porter. Total: 4.

Mr. Speaker: Sixty-five have voted "aye", 32 have voted "no." House Bill No. 22 has passed the House.

REPORTS OF SELECT COMMITTEES

"The joint committee of the House and Senate, appointed to investigate ways and means of licensing and regulating the manufacture and sale of beverages, intoxicating or otherwise, and to prepare bills in connection therewith, wish to report that a joint meeting was held January 19th, 1933, with all House members of the committee present and one absentee member from the Senate.

The joint committee was organized with Senator Thomas Walker as Chairman, and A. J. Breitenstein as Secretary. The committee will endeavor to secure any proposed measures from other states on these subjects, and also asked the Attorney General to submit an opinion as to whether or not it would be legal to prepare anticipatory measures in advance of congressional action.

The first meeting was occupied more with a general discussion of pertinent matters, and the next meeting will be held subject to the call of the General Chairman.

ROGNLIEN, Chairman House Committee."

Besoncon: Move the House adjourn until tomorrow morning at 10:00 o'clock.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

NINETEENTH DAY

House of Representatives,
Helena, Montana, January 20, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Findlater, excused; Fowler, excused.

"Mr. Speaker: "We, your Committee on Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

On motion of Rognlien, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 8933 of the Revised Codes of Montana of 1921 as amended by Chapter 36 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, relating to the salaries and expenses of transportation and living of court stenographers when on official business in other counties than the one in which they reside."

By Byrne: A Bill for an Act to amend Sections 2089 and 2090 of the Revised Codes of Montana of 1921 relating to the statement of gross yield of mines and net proceeds, the computation thereof; as amended by Chapter 191 of the Nineteenth Session, Chapters 139 and 140 of the Twentieth Session, and Chapter 133 of the Twenty-Second Session, of the Legislative Assembly of the State of Montana."

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 807 of the Revised Codes of Montana of 1921, relating to the printing in pamphlet form of election laws."

By Committee on Privileges and Elections: A Bill for an Act Entitled: "An Act to amend Section 816 of the Revised Codes of Montana of 1921, relating to the time and place of meeting of the presidential electors."

By Groene: A Bill for an Act Entitled: "An Act providing for the registration and licensing of motor vehicles of non-resident owners, providing for registration cards and identification thereof, and for licenses in certain cases, providing for registry offices, and repealing Chapter 121 of the Twenty-First Legislative Assembly of the State of Montana and all laws and parts of laws in conflict herewith."

By Ueland: A Bill for an Act Entitled: "An Act amending Section 2201 of the Revised Codes of Montana and all Acts amendatory thereto, extending the period of redemption in cases of delinquent taxes from 36 months to 60 months."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Employment, submit the following names for appointment:

Proof Reader:

Amanda Fazel Big Horn

The following names are submitted, recommended for part time work:

Alberta Barton Gallatin

Jean C. Kopp Park

Lucille D'Amico Yellowstone

Mrs. McLaskey Yellowstone

Liela Smith Silver Bow

Katherine Shagina Deer Lodge

Mrs. C. Bailey Ravalli

Mike J. Foley Silver Bow

Ruth Morrison Silver Bow

Margaret McDonald Silver Bow

Dan J. Sullivan Silver Bow

Gerald M. Alquist Chouteau

Cleve Marks Treasure

Maude Hougeland Lewis and Clark

F. V. Milner Lewis and Clark

Edna Kiehlbauch Toole

Hazel Van Ledingham Hill

J. O. Feragen Wibaux

Luella Watson Meagher

Eva Kraft Cascade

Gertrude Frey Lewis and Clark

Edna Gillis Silver Bow

Joseph Burden Lewis and Clark

Walter Dumas Lewis and Clark

Mortimer Brien Broadwater

JERRY J. O'CONNELL, Vice-Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 21, beg leave to report that the same has this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

On motion by Somerville, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 2, A Bill for an Act Entitled: "An Act to amend Section 74 of the Revised Codes of Montana, 1921, relating to per diem and mileage of the members of the Legislative Assembly," respectfully report as follows: That House Bill No. 2 do not pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the Communication from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, January 19, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Joint Memorial No. 1 was this day read three several times and passed, title and history agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 19, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced in the Senate, read first and second time, and referred to committees:

S. B. No. 33, by Parkin and MacGilvra: A Bill for an Act Entitled: "An Act to amend Section 4058, Revised Codes of Montana, 1921, defining the term 'Real Estate Broker.'" Referred to Committee on Judiciary.

S. B. No. 34, by Corwin: A Bill for an Act Entitled: "An Act to amend Section 813 of the Revised Codes of Montana, 1921, providing for the election of presidential electors and that the names of the candidates for president and vice-president of the United States be placed on ballots." Referred to Committee on Federal Relations.

S. B. No. 35, by Willis: A Bill for an Act Entitled: "An Act to amend Section 4524 of Chapter 12 of the Revised Codes of Montana, 1921, relating to 'when a person may receive relief from the county'; and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Counties and Towns.

S. J. M. No. 4, by Ekegren: A memorial memorializing the congress of the United States for a more lenient settlement of the 1932 federal seed loans. Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 19, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following motion by Senator Pauline was this day adopted:

"It is hereby moved that the Senate Committee on Taxation and the Senate Committee on Finance and Claims are, and each is hereby authorized and empowered forthwith to examine into, check, investigate, and review the statutes and laws of Montana relating to the imposition, operation, and collection of taxes, licenses, and assessments, and the administration and effectiveness thereof; with full power to compel the attendance of any

person, officer, or member of any board, or employee thereof, as a witness and the production of any records, files, documents, and papers; and said committees, and each of them, shall have the privilege of being assisted by counsel and agents to be chosen by said committee or committees; and shall have power to vest in a sub-committee thereof all the authority and power of such committees or committee; and shall from time to time, with all reasonable dispatch, report to the Senate the actions, findings, and recommendations of said committee or committees hereunder; but said committee or committees shall not incur any expense whatsoever in the premises without express authorization by the Senate."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 19, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Employment this day reported the selection of the following attaches to serve during the Twenty-Third Legislative Session:

Clerks:

A. P. Smerud, Effective January 23.

Claude N. Bielenburg, Effective January 23.

Stenographer:

Helen Williams, Effective January 23.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 19, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate read first and second time and referred to committees:

H. B. No. 14, by Committee on Appropriations—referred to Committee on Finance and Claims.

H. B. No. 16, by Committee on Appropriations—referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 19, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 6 be passed for the day.

That S. B. No. 11 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 19, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of bills were this day received:

By Keeley: A Bill for an Act Entitled: "An Act to amend Sections 5, and 6 of Chapter 72 of the Laws of the Legislative Assembly of the State of Montana for 1923, and providing for the extension of the benefit of old age pensions and blind persons."

By Keeley: A Bill for an Act Entitled: "An Act authorizing the board of school trustees of any school district, whenever such district shall have a floating warrant indebtedness for teachers' salaries, school supplies and other necessary expenses incurred in the maintenance of schools in such district represented by warrants heretofore issued, as well as by warrants issued hereafter for the school year ending June 30th, 1933, within the amount of taxes levied and not collected, to issue bonds for the purpose of funding the same; prescribing the procedure and method of issuing, sale and payment of said bonds, and repealing Chapter 140, Laws of the Legislative Assembly for 1929."

By Jergensen and Staggs: A Bill for an Act Entitled: "An Act to amend Sections 3779 and 3783 of the Revised Codes of the State of Montana, as amended by Chapter 9 of the Session Laws of the Twentieth Legislative Assembly of 1927; and repealing Sections 3780, 3784, 3786, 3787, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 as amended by Chapters 9 and 90 of the Twentieth Legislative Assembly of 1927, relating to the board of railroad commissioners in the State of Montana, defining their duties, providing for officers and employees and the salaries thereof." (This notice is given in lieu of all previous notices).

By Plumer: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 5, Article XVI of the Constitution of the State of Montana, relating to county officers."

By Plumer: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of the State of Montana, relating to the division of counties into commissioners districts and the election of one county commissioner by the qualified electors in each commissioner district."

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Besancon: Mr. Harlen of Blaine wishes to be excused until Thursday, January 26th. Request granted.

Besancon: Move that those desiring to take the train for Great Falls be excused in time to catch that train. Seconded. Carried.

Besancon: Move that House Bills Nos. 8 and 18 be placed at the bottom of the list on General Orders. Seconded. Carried.

Besancon: The Committee on Workmen's Compensation will hold a public meeting on Thursday, January 26; Chairman O'Connell has asked the unanimous consent of the House for the committee to use the Hall of the House for that meeting, to avoid the expense of hiring a hall down town. There being no objection, request granted.

O'Connell: Move that the State Industrial Accident Board be instructed to prepare for the members of the House a statement of the income and disbursements of each department for the fiscal year 1931-32. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times at length and referred to committee:

H. B. No. 46, introduced by Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for the two year period beginning July 1, 1933 and ending June 30, 1935, for the payment of re-

funds or drawbacks under the provisions of Chapter 168, Laws of the Twenty-First Legislative Assembly of the State of Montana, or any amendments thereto; relating to refunds of license taxes paid by dealers in gasoline." Committee on Appropriations.

H. B. No. 47, introduced by Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for the state highway commission for the period beginning July 1, 1933 and ending June 30, 1935." Committee on Appropriations.

The following Bill was introduced, read first and second time and referred to committee:

H. B. No. 48, introduced by Breitenstein: A Bill for an Act Entitled: "An Act permitting Herman A. Kruger of Hill County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident." Committee on Workmen's Compensation.

The following memorial was introduced, read first and second time, and referred to Committee:

S. J. M. No. 1, introduced by Joint Committee of House and Senate: A Memorial to the Interstate Commerce Commission of the United States, advocating a reduction of freight rates on gasoline from mid-continent points to Montana points." Committee on Federal Relations.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

Groene in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Substitute House Bill No. 15, H. J. M. No. 1, House Bill No. 21, respectfully report as follows:

That Substitute House Bill No. 15 do pass;

That H. J. M. No. 1 do pass.

That H. B. No. 21 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

UNFINISHED BUSINESS

On motion of Shannon, the Appropriations Committee was granted additional time on H. B. No. 20.

On motion of O'Connell, Workmen's Compensation Committee was granted additional time on H. B. No. 28.

On motion of Rognlien, Committee on Revenue and Taxation was granted additional time on H. B. No. 23.

On motion of Haight, Committee on Economy was granted additional time on H. B. No. 9.

On motion of Beadle, Committee on Labor was granted additional time on H. B. No. 32.

Love of Dawson was given permission to proceed out of order, upon a question of personal privilege. He referred to the article in the morning paper published in Helena which stated in effect that those voting against House Bill No. 22 were acting against the best interests of the State of Montana, and said that he had voted in accordance with what he considered the best interest of the State, and would continue to vote in

that way; if he felt that a measure was for the best interests of the people he would vote for it; if not, he would vote against it. He also expressed the hope that the particular paper in question, as well as others would publish future roll calls on contested questions, in order to keep the people of the State informed as to the actions of their Representatives in the House.

Daugherty of Fallon was likewise given permission to proceed out of order upon a question of personal privilege, and in referring to the same newspaper article, spoke in a similar strain.

Besancon: Move the House adjourn until Monday afternoon, January 23, at 2:00 o'clock. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-SECOND DAY

House of Representatives,
Helena, Montana, January 23, 1933.

House convened, pursuant to adjournment, at 2:00 o'clock p. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except the following: Harlen, excused; Shannon, excused.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Ecton: A Bill for an Act Entitled: "An Act requiring all contracts or State, County, Municipal and School construction or repair work and maintenance to be let to bona fide residents of the State of Montana, except in cases where federal aid funds are involved and federal statutes contain requirements inconsistent herewith, and providing that contracts entered into in violation of the terms hereof shall be void."

By Porter and Strange: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 168 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled; and providing the procedure for obtaining refund on drawback."

By Ralston: A Bill for an Act Entitled: "An Act to license gasoline dealers engaged in business in the State of Montana; requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes; providing for revocation of licenses, defining the term 'gasoline dealer' and making violations of the provisions of this Act a misdemeanor."

By Stephens, Daugherty, O'Shea, White, Freed, Doe, Chapman, Snidow, Haley, Pilgeram, Haight, O'Connell, Spangler, Nass and Ballard: A Bill for an Act Entitled: "An Act authorizing the State to engage in the purchase and sale of gasoline, oil and lubricants, to establish and maintain refineries, establishing the manner in which said business shall be initiated and conducted, providing funds for such purpose and declaring an emergency."

By Stevens: A Bill for an Act Entitled: "An Act to amend Section 220 of the Revised Codes of Montana of 1921 relating to the time of redemption from tax sales."

By Groene: A Bill for an Act Entitled: "An Act to provide for postponement of sale under execution of mortgage foreclosure, providing the terms thereof, and amending Section 9435 of the Revised Codes of Montana, 1921."

By Quamme: A Bill for an Act Entitled: "An Act defining the duties of court stenographers and disposition of charges for making up transcript by them."

By Quamme: A Bill for an Act Entitled: "An Act permitting the mortgagor in a chattel mortgage or his successor in interest to redeem from a chattel mortgage foreclosure sale."

By Nelstead: A Bill for an Act Entitled: "An Act to amend Section 1755 of the Revised Codes of Montana of 1921 as amended by Chapter 17 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 129 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, as amended by Chapter 181 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929 as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, to amend Section 1758 of the Revised Codes of Montana of 1921, all relating to registration and re-registration of motor vehicle trailers and semi-trailers, motor and accessories dealers and operators and chauffeurs, prescribing the duties of the Registrar of Motor Vehicles and records to be kept, providing for issuance of certificates of registration and ownership and containers therefor; defining the terms 'owner' and 'legal owner'; providing for renewal of registration, transfer of title or interest in motor vehicles and issuance of new certificates of registration and ownership, for filing of chattel mortgages and conditional sales contracts with registrar of motor vehicles, registration of holder as legal owner and the same being constructive notice of said mortgage or conditional sales contract; fees for certificates and transfers of title; duplicate certificates, and chauffeur's badge."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. J. M. No. 1, Sub. H. B. No. 1 H. B. No. 21.

ROLPH, Chairman."

Report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills No. 6, 11, 30, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 40. A Bill for an Act Entitled: "An Act to appropriate moneys from the fish and game fund of the State of Montana, for payment of claim of A. A. Ellis for damages and injury caused by elk transported to Red Lodge by the fish and game department and the Rod and Gun Club." Respectfully report as follows: That House Bill No. 40 do not pass.

SPANGLER, Chairman."

Spangler: Move the report be adopted. Seconded.

O'Shea: As a substitute motion, move that the Bill be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Federal Relations, to whom was referred the Resolution of the Lewis and Clark Mining Association, beg leave to report that the resolution be re-referred to the Committee on Mines and Mining for consideration and any necessary amendments.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 13, A Bill for an Act Entitled: "An Act to amend Section 3765 of the Revised Codes of Montana of 1921, defining the boundaries of the Snowy Mountain game preserve." Respectfully reports as follows:

That House Bill No. 13, do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the communication from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, January 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 3 be passed for the day.

That consideration of S. B. No. 6 be passed for the day.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole, this day, having had under consideration business on General File, respectfully report and recommend as follows:

Respectfully,

J. F. CONE,
Secretary.

Helena, January 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole, this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 1 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senate Standing Committees this day reported as follows: Report adopted;

Committee on Judiciary: That S. B. No. 5 do not pass.

Committee on Judiciary: That S. B. No. 17 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Galt, Willis, Larson, Campbell, Clifford and Kaulbach: A Bill for an Act Entitled: "An Act amending Section 1198, of the Revised Codes of the State of Montana of 1921, relating to the furnishing of free text book to pupils attending schools, public or otherwise, including high schools."

By Putnam: A Bill for an Act Entitled: "An Act to amend Section 8366 of the Revised Codes of Montana of 1921, as amended by Section of Chapter 20 of the Session Laws of the Twenty-First Legislative Assembly, 1929, and Section 8369 of the Revised Codes of Montana of 1921, relating to liens of threshermen, owners of combined harvester and threshers and farm laborers upon grain and crops and determining the priority thereof."

By Husband and Armstrong: A Bill for an Act Entitled: "An Act to repeal Sections 2069, 2070, 2071, 2072, 2073, 2074, 2075 of the Revised Codes of Montana for 1921, relating to the assessment of migratory livestock; the duties of the owner of such livestock; the apportionment of taxes upon migratory livestock; the collection and disposition of taxes of migratory livestock; the distribution of migratory stock fund; the removal of livestock after assessment and the penalty for violation of the law relative to the assessment of migratory livestock."

By Reed: A Bill for an Act Entitled: "An Act amending Sections 3683, 3685, and 3691 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 59 Laws of the Twentieth Legislative Assembly of the State of Montana of 1927 and as amended by Chapter 161 of the Twenty-Second Legislative Assembly of the State of Montana of 1931, relating to the classes of licenses for hunting and taking game and fish and furbearing animals within the State of Montana; the fees and powers under such licenses; exceptions in the applications of the provisions of this Act; and repealing all Acts and parts of Acts in conflict with the provisions of this Act."

By Carroll and Simmons: A Bill for an Act Entitled: "An Act to amend Section 2317 of the Revised Codes of Montana of 1921, providing for license tax for engaging in or carrying on the business of coal mining." (The notice is given in lieu of all previous notices.)

By Carroll and Simmons: A Bill for an Act Entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of Montana of 1921, as amended by Chapter 191 of the Acts of the Nineteenth Legislative Assembly of the State of Montana and by Chapter 139 of the Acts of the Twentieth Legislative Assembly of the State of Montana, relating to the statement of gross yield of mines and net proceeds and the computation of net proceeds."

By Kemmis: A Bill for an Act Entitled: "An Act to exempt church property and property of hospitals not held for private or corporate profit from the payment of special improvement district assessments for street improvements bordering thereon, as to all payments hereafter accruing and making the cost of such improvements a charge against the city as a whole and authorizing the proper city authorities to levy the necessary tax to meet such assessments."

By Clifford: A Bill for an Act Entitled: "An Act providing for the appointment term of employment, compensation, qualifications and duties of gas inspectors; providing further for the inspection of all natural gas d

tributing, plants, construction, appliances, including the premises of consumers; and for the payment of such inspection by the person, persons or corporation supplying said gas."

By Kelsey: A Memorial to the President of the United States and the Congress of the United States for the immediate passage of necessary legislation providing for the re-capture by Congress of all right and authority to expand or contract the currency of the United States and all credit based thereon, as set forth in the provisions and intent of the Constitution of the United States, and providing for a bi-metallic base and the immediate expansion of currency, and providing for the distribution of such expanded currency to the relief of agriculture, unemployment, trade, manufacturing and transportation in the United States, and for the safeguarding of this nation and the perpetuation of its government.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 36, by Keeley: A Bill for an Act Entitled: "An Act authorizing the board of school trustees of any school district, whenever such district shall have a floating warrant indebtedness for teachers' salaries, school supplies and other necessary expenses incurred in the maintenance of schools in such district represented by warrants heretofore issued, as well as by warrants issued hereafter for the school year ending June 30th, 1933, within the amount of taxes levied and not collected, to issue bonds for the purpose of funding the same; prescribing the procedure and method of issuing, sale and payment of said bonds, and repealing Chapter 140 laws of the Legislative Assembly for 1929." Referred to Committee on Judiciary.

S. B. No. 37, by Keeley: A Bill for an Act Entitled: "An Act to amend Sections 3, 5 and 6 of Chapter 72 of the laws of the Legislative Assembly of the State of Montana for 1923, and providing for the extension of the benefit of old age pensions to blind persons." Referred to Committee on Judiciary.

S. B. No. 38, by Cooper: A Bill for an Act Entitled: "An Act to submit to the qualified electors of State of Montana an amendment to Section 5 of Article XVI of the Constitution of the State of Montana, as amended, relating to municipal corporations and officers, and increasing the terms of offices of all county elective offices." Referred to Committee on Constitutional Amendments.

S. B. No. 39, by Cooper: A Bill for an Act Entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Sections 2, 5 and 6 of Article V of the Constitution of the State of Montana, relating to the legislative department of the State of Montana and providing for the increase in the terms of office of all senators and members of the House of Representatives in the legislative department of the State of Montana, and providing for a 'split session' of the legislative body to be held every four years." Referred to Committee on Constitutional Amendments.

S. B. No. 40, by Jergensen and Staggs: A Bill for an Act Entitled: "An Act to amend Sections 3779 and 3783 of the Revised Codes of the State of Montana, as amended by Chapter 9 of the Session Laws of the Twentieth Legislative Session of 1927, and repealing Sections 3780, 3784, 3786, 3787, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 as amended by Chapters 9 and 90 of the Twentieth Legislative As-

sembly of 1927 relating to the Board of Railroad Commissioners in the State of Montana, defining their duties, providing for officers and employees and the salaries thereof." Referred to Committee of State Boards and Offices.

S. B. No. 41, by Corwin: A Bill for an Act Entitled: "An Act to amend Section 3574 of the Revised Codes of Montana of 1921, as amended by Section 1, Chapter 41, of the session laws of the Eighteenth Legislative Assembly of Montana, as amended by Section 1, Chapter 154, to amend Section 3579 of the Revised Codes of Montana of 1921, as amended by Chapter 41 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana as amended by Chapter 174 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana as amended by Chapter 154 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana." Referred to Committee on Agriculture.

S. B. No. 42, by Sparling: A Bill for an Act Entitled: "An Act to amend Section 8290 of the Revised Codes of the State of Montana of 1921 relating to mortgages on growing crops and the lien thereof." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Spangler: Move that the Fish and Game Committee be given additional time on House Bills No. 34 and 19. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times and referred to committees:

H. B. No. 49, introduced by Committee on Agriculture: A Bill for an Act Entitled: "An Act providing for the classification and basis upon which taxes shall be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvements thereon (except improvements used for business or industrial purposes.)" Committee on Revenue and Taxation.

H. B. No. 50, introduced by Committee on Privileges and Elections. A Bill for an Act Entitled: "An Act to amend Section 816 of the Revised Codes of Montana of 1921, relating to the time and place of meeting of the presidential electors." Committee on Privileges and Elections.

H. B. No. 51, introduced by Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 8933 of the Revised Codes of Montana of 1921 as amended by Chapter 36 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, relating to the salaries and expenses of transportation and living of court stenographers when on official business in other counties than the one in which they reside." Committee on Judiciary.

H. B. No. 52, introduced by Rolph and Blankenbaker: A Bill for an Act Entitled: "An Act to fix the fiscal year of counties and cities for budget administrative purposes only, from January 1st to December 31st of each year instead of from July 1st of one year to June 30 of the following year as now provided; and to provide for an eighteen month budget for the period from July 1st, 1933 to December 31, 1934, which is made necessary by this proposed change." Committee on Judiciary.

H. B. No. 53, introduced by Woodcock: A Bill for an Act Entitled: "An Act to amend Section 4741 of the Revised Codes of Montana of 1931 relating to the classification of counties." Committee on Townships and Counties.

H. B. No. 54, introduced by Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 807 of the Revised Codes of Montana, of 1921, relating to the printing in pamphlet form of election laws." Committee on Economy.

H. B. No. 55, introduced by Grabow: A Bill for an Act Entitled. "An Act creating a highway patrol for the State of Montana under the control and supervision of the State Highway Commission, providing for its organization, regulation, powers and duties, and providing a fund for the maintenance of such patrol, and providing penalties for the violation of this Act." Committee on Highways.

THIRD READING OF HOUSE BILL

H. J. M. No. 1, introduced by Ralston, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 98.

Noes: None.

Absent and not voting: Balgord, Harlen, Shannon. Total: 3.

The Speaker: House Joint Memorial No. 1 has passed the House.

Sub. H. B. No. 15, introduced by the Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total: 97.

Noes: Replogle. Total: 1.

Absent and not voting: Harlen, Marshall, Shannon. Total: 3.

The Speaker: Ninety-Seven have voted "aye", 1 has voted "no"; Sub. House Bill No. 15 has passed the House.

H. B. No. 21, introduced by the Committee on Economy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total: 99.

Noes: None.

Absent and not voting: Harlen, Shannon. Total: 2.

The Speaker: Ninety-Nine have voted "aye," none have voted "no"; House Bill No. 21 has passed the House.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

Moss in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Ncs. 30, 6, 11 and 8, respectfully report as follows:

That H. B. No. 30 do pass.

That H. B. No. 6 be amended as follows:

Section 1. By adding in line 31 after the word "one", the words "of which shall be," and that as so amended the Bill do pass.

That H. B. No. 11 do pass.

That H. B. No. 8 be passed for the day.

MOSS, Chairman."

On motion by Moss, report adopted.

Besancon: On account of the illness of Mr. Shannon, whose presence is required before House Bill No. 18 can be considered on General Orders, I move that House Bill No. 18 be passed for the day. Seconded. Carried.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Holecek: A Bill for an Act Entitled: "An Act providing that no deficiency judgments shall exist after foreclosure of mortgages executed for securing payment of unpaid balance of the purchase price of real property and defining the term foreclosure."

By Jensen: A Bill for an Act Entitled: "An Act to amend Section 1759 of the Revised Codes of Montana of 1921, as amended by Chapter 113 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 181 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, relating to registra-

tion and re-registration of motor vehicles, providing for application for registration and time for making application, assessment and payment of taxes on motor vehicles prior to registration, issuance and assignment of number plates and exhibition thereof, distribution of taxes and license fees collected, application for dealer's license replacement of number plates, exemption of non-resident owners; prescribing the duties of Registrar of Motor Vehicles and county assessors and county treasurers; to amend Section 1757 of the Revised Codes of Montana of 1921, relating to number plates of motor vehicles, prescribing the specifications thereof and providing for assignment of index numbers of counties of state; to amend Section 2002 of the Revised Codes of Montana of 1921, providing when assessment of property shall be made, when and how credits must be assessed, and when motor vehicles shall be assessed; to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, as amended by Chapter 79 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 67 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, providing for the payment of general taxes, special improvement assessments, and taxes on motor vehicles; and repealing all Acts and parts of Acts in conflict with the proposed Act."

Besancon: Move the House now adjourn to 11:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-THIRD DAY

House of Representatives,
Helena, Montana, January 24, 1933.

House convened, pursuant to adjournment, at 11:00 o'clock a. m.
Mr. Speaker in the Chair.

Invocation by Rev. T. S. Stockdal of the Montana Home for the Aged.
On roll call, all members present except Harlen, excused.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Nineteenth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 22nd Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Kruse: A Bill for an Act Entitled: "An Act to amend Section 8366 of the Revised Codes of Montana, 1921, as amended by Chapter 112 of the laws of 1931 relating to liens of threshermen and owners of combine harvesters and threshers upon grains or crops."

By Committee on Insurance: A Bill for an Act Entitled: "An Act to amend Section 6199 of the Revised Codes of Montana of 1921, and amended by the Session Laws of 1931, relating to Mutual Insurance Companies."

By Freudenstein: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in or about cement plants and at quarries and hyro-electric dams, and providing penalties for a violation thereof."

By Moss: A Bill for an Act Entitled: "An Act amending Chapter 121 of the Session Laws of the 21st Legislative Assembly, entitled: 'An Act providing for the registration and licensing of motor vehicles of non-resident owners and providing for registration cards and identification thereof.'"

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of justices of the peace."

By Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 38 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of Montana, relating to the establishment of district high schools."

By Watson of Meagher: A Bill for an Act Entitled: "An Act providing for the submission to the qualified electors of the State of Montana an amendment to Section Five, Article XVI, granting the Board of County Commissioners the power to consolidate county offices, fixing the duties and providing procedure for the consolidation of certain offices."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, January 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was this day adopted:

By Kane:

"I move that the Secretary of the Highway Commission be requested to transmit to the Secretary of the Senate the following information:

The number of miles of new highway construction, paid for from the gasoline tax, for which contracts were let, during the calendar year 1932. The number of miles of new highway actually constructed under the above contracts. The amount of warrant indebtedness against the Highway Trust Fund on December 31, 1932."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on Federal Relations: That S. J. M. No. 4, by Ekegren do pass.

Committee on Federal Relations: That S. B. No. 34, by Ekegren do pass.

Committee on Counties and Towns: That S. B. No. 35, by Willis, do pass.

Committee on Judiciary: That S. B. No. 37, by Keeley, do not pass.

Committee on Judiciary: That H. B. No. 22 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of Bills were this day received:

By Kilduff: A Bill for an Act Entitled: "An Act to amend Section 9629 of the Revised Codes of Montana of 1921, relating to appearances in justice court."

By Page: A Bill for an Act Entitled: "An Act regulating prices on wholesale grocers, supervision to be under Public Service and Railroad Commission, reporting monthly to said commission."

By Pauline: A Bill for an Act Entitled: "An Act relating to the letting of contracts by Boards of County Commissioners for the purchase of automobiles, trucks, vehicles, road, highway or other machinery, apparatus, appliances, equipment, materials and supplies."

By Reed: A Bill for an Act Entitled: "An Act to amend Section 4874 of the Revised Codes, Montana, 1921, as amended by Chapter 82 of the Session Laws of the Eighteenth Legislative Assembly of Montana, relating to the authority of the county commissioners to fix the compensation and appointment of deputy county officers."

By Kaulberg: A Bill for an Act Entitled: "An Act to amend Section 9427 of the Revised Codes of the State of Montana of 1921; relating to property exempt from execution, and inserting therein a 'motor vehicle' as one of the exemptions, and further limiting the exemptions against unmarried persons."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 43, by Kemmis: A Bill for an Act Entitled: "An Act to exempt church property and property of hospitals not held for private or corporate profit from the payment of special improvement district assessments for street improvements bordering thereon, as to all payments hereafter accruing and making the cost of such improvements a charge against the city as a whole and authorizing the proper city authorities to levy the necessary tax to meet such assessments." Referred to Committee on Judiciary.

S. B. No. 44, by Husband: A Bill for an Act Entitled: "An Act to amend Section 12288 of the Revised Codes of Montana for 1921, relating to the appointment, salary and duties of probation officers." Referred to Committee on Judiciary.

S. B. No. 45, by Reed: A Bill for an Act Entitled: "An Act amending Sections 3683, 3685 and 3691 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 59, Laws of the Twentieth Legislative Assembly of the State of Montana of 1927 and as amended by Chapter 161 of the Twenty-second Legislative Assembly of the State of Montana of 1931, relating to the classes of licenses for hunting and taking game and fish and fur-bearing animals within the State of Montana; the fees and powers under such licenses; exceptions in the applications of the provisions of this Act and repealing all Acts and parts of Acts in conflict with the provisions of this Act." Referred to Committee on Fish and Game.

S. B. No. 46, by Larson: A Bill for an Act Entitled: "An Act providing for the submission to the qualified electors of the State of Montana, of an amendment to Section 1 of Article 12 of the Constitution of the State of Montana relating to revenue and taxation; providing for the levy, collection and distribution of taxes upon incomes of persons, firms and corporations." Referred to Committee on Constitutional Amendments.

S. B. No. 47, by Page and Wass: A Bill for an Act Entitled: "An Act to amend Section 59 of Chapter 39 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931 relating to the regulations covering the purchase of milk and cream for the manufacture of dairy products or for commercial sweet creams." Referred to Committee on Dairies and Dairying.

S. B. No. 48, by Putnam: A Bill for an Act Entitled: "An Act to amend Section 8366 of the Revised Codes of Montana of 1921, as amended by Section 1 of Chapter 20 of the Session Laws of the Twenty-First Legislative Assembly, 1929, and Section 8369 of the Revised Codes of Montana of 1921, relating to liens of threshermen, owners of combined harvester and threshers and farm laborers upon grain and crops and determining the priority thereof." Referred to Committee on Judiciary.

S. J. M. No. 6, by Kelsey: A Memorial memorializing the President of the United States and the Congress of the United States for the immediate passage of necessary legislation providing for the recapture by Congress of all right and authority to expand or contract the currency of the United States and all credit based thereon, as set forth in the provisions and intent of the Constitution of the United States, and providing for a bi-metallic base and the immediate expansion of currency, and providing for the distribution of such expanded currency to the relief of agriculture, unemployment, trade, manufacturing and transportation in the United States, and for the safe-guarding of this nation and the perpetuation of its government." Referred to Committee on Mines and Mining.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 3, be amended in Section 1 by striking out in Line 9 of the printed bill, after the word, "purchaser," the words, "of an assignment of such sale," and inserting in lieu thereof the words, "of any certificate of sale made."

Also be amended in Section 2, in lines 2 and 3, printed bill, by inserting in line 2 after the word "in," the words, "at least one issue of," and striking out after the word "city," the words "at least once"; then by adding after the word "time" in line 3, the words, "such notice to be published within sixty (60) days from the approval of this Act."

And as so amended, recommend said bill do pass.

That S. B. No. 6 be amended by striking out in line 3 and 4 of the title the words, "for special elections."

Also amend in Section 1 by adding thereto the following: "And such filing fee shall be paid by every person whose name appears upon the ballot at any general election, regardless of the method pursued to secure nomination, provided, however, that only one filing fee shall be required from any candidate, regardless of the method used in having his name placed upon such general election ballot."

And as so amended, recommend said bill do pass.

That S. B. No. 23 do pass.

That S. B. No. 24 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Duncan, Church, Husband, Galt, Cooper, Page, Armstrong, Delaney, Himsl, Wass, Thein, Hennessy, Kilduff, Willis, Burr, MacGilvra, Parkin, Wheeler, Melten and Daniels: A Bill for an Act Entitled: "An Act to amend Section 624 of the Revised Codes of Montana of 1921; and to repeal Sections 631, 633, 634, 635, 636, 637, 638, 646, 647, 650, 653, 655, 656, 657, 658, 659, 660, 661, 664, 665, 666, 667, 668, 669, 670, of the Revised Codes of Montana of 1921; and to repeal Section 632 of the Revised Codes of Montana of 1921; as amended by Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal 639 of the Revised Codes of Montana of 1921, as amended by Chapter 7 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 640 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 125 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Sections 641, 644 and 645 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923; and to repeal Sections 648 and 649 of the Revised Codes of Montana of 1921, as amended by Chapter 12 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to repeal Section 651 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 14 of the Session Laws of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 67 of the Session Laws of the Twenty-First Legislative Assembly of 1929; and to repeal Section 652 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session of the Eighteenth Legislative Assembly of 1923; and to repeal Section 662 of the Revised Codes of Montana 1921, as amended by Chapter 98 of the Session Laws of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 34 of the Session Laws of the Twenty-First Legislative Assembly of 1929; all relating to primary elections; and to repeal all Acts and parts of Acts in conflict herewith."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Resolution by Eaton was this day introduced, and on motion referred to Committee on Finance and Claims:

"A resolution requesting the Governor to call a conference which shall mobilize the economic, industrial, agricultural, educational and governmental forces of state to consider ways and means of meeting the unprecedented crisis in all the state's affairs."

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Besancon: Move that beginning today, adjournment of the House be until 9:00 o'clock each morning, this to continue until further decided by the House. Seconded. Carried.

Spangler: Move that House Bill No. 40 be recalled from the Printing Committee, and re-referred to the Committee on Fish and Game. Seconded and carried.

The following House Joint Resolution was introduced by Nutting, and at request of Nutting was read second time at length and referred to committee:

H. J. R. No. 2, introduced by Nutting: "A Resolution providing for the relinquishment or donation to the general fund of the state by each member of the House of Representatives and Senate of six days per diem." Committee on Economy.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 56, introduced by Ballard: A Bill for an Act Entitled: "An Act to amend Section 4875 of the Revised Codes of Montana for the year 1921 relating to the number of deputies and under-sheriffs allowed county officers." Committee on Townships and Counties.

H. B. No. 57, introduced by Holecek: A Bill for an Act Entitled: "An Act providing that no deficiency judgments shall exist after foreclosure of mortgages executed for securing payment of unpaid balance on the purchase price of real property and defining the term foreclosure." Committee on Judiciary.

H. B. No. 58, introduced by Groene: A Bill for an Act Entitled: "An Act providing for the registration and licensing of motor vehicles of non-resident owners, providing for registration cards and identification thereof and for licenses in certain cases, providing for registry offices, and repealing Chapter 121 of the Twenty-First Legislative Assembly of the State of Montana and all laws and parts of laws in conflict herewith." Committee on Highways.

H. B. No. 59, introduced by Quamme: A Bill for an Act Entitled: "An Act defining the duties of court stenographers and disposition of charges for making up transcripts by them." Committee on Judiciary.

H. B. No. 60, introduced by Quamme: A Bill for an Act Entitled: "An Act permitting the mortgagor in a chattel mortgage or his successor in interest to redeem from a chattel mortgage foreclosure sale." Committee on Judiciary.

H. B. No. 61, introduced by Porter and Strange, by request: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 168 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled; and providing the procedure for obtaining refund on drawback." Committee on Highways.

H. B. No. 62, introduced by Ralston: A Bill for an Act Entitled: "An Act to license gasoline dealers engaged in business in the State of Montana; requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes; providing for revocation of licenses, defining the term 'gasoline dealer' and making violations of the provisions of this Act a misdemeanor." Committee on Petroleum Oil and Gas.

H. B. No. 63, introduced by Haight: A Bill for an Act Entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 1 Article 12, of the Constitution of the State of Montana, relating to revenue and taxation; providing for the levy and collection by the state of taxes upon incomes and the distribution of said taxes to the public schools and the state and county governments." Committee on Constitutional Amendments.

H. B. No. 64, introduced by Blankenbaker: A Bill for an Act Entitled: "An Act to reapportion the representation of the various counties in the State of Montana, in the House of Representatives of the State of Mon-

tana according to the federal census of 1930 and to repeal Sections 44 and 45 of the Revised Codes of Montana of 1921." Committee on Apportionment and Representation.

H. B. No. 65, introduced by Ueland: A Bill for an Act Entitled: "An Act to amend Sections 1757, 1758, 1759 and 1760 Revised Codes of Montana, 1921, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1927, Chapters 181 and 182 Session Laws 1929 and Chapter 158 Session Laws 1931, to amend Section 4 of Chapter 158 Session Laws 1931 and to repeal Section 3 of Chapter 158 Session Laws 1931, all relating to the Registration of Motor Vehicles." Committee on Highways.

Mr. Speaker: The Chair desires to urge members to see that titles in the notices conform to the titles in the bills.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move that the House now resolve itself into a committee of the Whole for the consideration of General Orders. Seconded. Carried.

Moss in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 8 and 18, respectfully report as follows:

That H. B. No. 8 be amended as follows:

Section 1. To strike from lines 34 and 35 of sub-division 8, the words "and pay holders of matured stock, all or part of the amount"; all that part of said sub-division 8, beginning with the word "provided" in line 36, down to and including the words "above provided" in lines 46 and 47 thereof;

Strike the words "in the manner above provided only" in lines 51 and 52 of the said sub-division;

Strike out the last sentence of sub-division 8 found in line 65 which begins with the words "in no event";

Strike out the words "of the matured stock and" in lines 58 and 59 thereof; strike out the words "except as above provided" in line 59 thereof; and that as so amended, the bill do pass.

That H. B. No. 18 do pass.

MOSS, Chairman."

On motion by Moss, report adopted.

Nelstead was given permission to proceed out of order, and brought to the attention of the chair that several former members of this House were present on the floor of the House. R. C. Bricker of Judith Basin County, a former Speaker of the House; Walter L. Pope of Missoula County, H. E. Benjamin of Toole County, and Ole M. Wold of Yellowstone, were thereupon escorted to the rostrum and presented to the members by the Speaker.

MOTIONS AND RESOLUTIONS

Fowler: I move that the following telegram be authorized sent by the Speaker to the United States Senate immediately:

"United States Senate, Washington, D. C.

I am authorized by the House of Representatives of the Montana Legislature, to send your Honorable Body this message commending your action speeding up legislation for the remonitization of silver.

We urge prompt consideration and passage of said legislation.

(Signed) DELLWO, Speaker."

Motion seconded. Carried.

Beadle was excused for tomorrow at his request.

Besancon: Move that the House now adjourn until tomorrow morning at 9:00 o'clock. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-FOURTH DAY

House of Representatives,
Helena, Montana, January 25, 1933.

House convened, pursuant to adjournment, at 9:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Harlen, excused.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-Third Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Ralston: A Bill for an Act Entitled: "An Act to amend Section 2875 of the Revised Codes of Montana of 1921, relating to workmen's compensation."

By Sparling: A Bill for an Act Entitled: "An Act to amend Section 11973 of the Revised Codes of 1921, relating to the separate and joint trials of persons jointly charged with the commission of public offenses."

By Woodcock: A Bill for an Act Entitled: "An Act providing for the licensing of automobile mechanics; for the application for such license; for a board of automobile mechanics examiners; for examination fee and renewal of licenses; for rules and regulations as to apprentices; for regulations as to the use of moneys paid as license fees; for the revocation of such licenses; for issuance of licenses without examination and fixing a penalty for the violation of this Act."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 9, introduced by Replogle and Ballard: A Bill for an Act Entitled: "An Act to amend Section 4916 of the Revised Codes of Montana of 1921 as amended by Chapter 111 of the Laws of the Twentieth Legislative Assembly and by Chapter 89 of the Laws of the Twenty-First Legislative Assembly of the State of Montana, relating to the fees, mileage and expense of sheriffs," respectfully report as follows:

That House Bill No. 9 be amended as follows:

In line 22 page 2, after the word "jail" strike out the following: "eight cents (8c) per mile" and insert in lieu thereof the following: "only his actual expenses."

In line 23, page 2, after the word "and" strike the following: "seven and one-half cents (7½c)" and insert in lieu thereof the following: "eight cents (8c)."

In line 1, page 3, after the word "mileage" insert the following: "when travel is made other than by railroad," and when so amended we recommend that the bill do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 13, beg leave to report that the same has this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 23: A Bill for an Act Entitled: An Act to amend Section 2247 of the Revised Codes of Montana of 1921 relating to the rate of taxation on personal property unsecured by a lien on real estate and repealing Sections 2248 and 2249 of the Revised Codes of Montana 1921," respectfully report as follows:

That House Bill No. 23 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, Montana, January 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 1, introduced by Garber.

S. B. No. 11, introduced by Kane.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time and referred to committees:

Sub. H. B. No. 15, referred to Committee on Finance and Claims.

H. B. No. 21, referred to Committee on State and County Economies.

H. J. M. No. 1, referred to Committee on Federal Relations.

On motion, House Bill No. 22 was this day taken from General File and referred to Committee on Taxation.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second times, and referred to committees:

S. B. No. 49, by Plumer: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution of the State of Montana, relating to the division of counties into commissioners districts and the election of one county commissioner by the qualified electors in each commissioner district." Referred to Committee on Constitutional Amendments.

S. B. No. 50, by Pauline: A Bill for an Act Entitled: "An Act relating to the letting of contracts by boards of county commissioners for the purchase of automobiles, trucks, vehicles, road, highway and other machinery, apparatus, appliances, equipment, materials and supplies." Referred to Committee on Counties and Towns.

S. B. No. 51, by Plumer: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Section 5 Article XVI of the Constitution of the State of Montana, relating to county officers." Referred to Committee on Constitutional Amendments.

S. B. No. 52, by Duncan, Church, Husband, Galt, Cooper, Page, Armstrong, Delaney, Himsl, Wass, Thien, Hennessy, Kilduff, Willis, Burr, MacGilvra, Parkin, Wheeler, Melton, Danielsen: A Bill for an Act Entitled: "An Act to amend Section 624 of the Revised Codes of Montana of 1921 and to repeal Sections 631, 633, 634, 635, 636, 637, 638, 646, 647, 650, 653, 654, 655, 656, 657, 658, 659, 660, 661, 664, 665, 666, 667, 668, 669, 670 of the Revised Codes of Montana of 1921; and to repeal Section 632 of the Revised Codes of Montana of 1921, as amended by Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 639 of the Revised Codes of Montana of 1921, as amended by Chapter 10 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Section 640 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 125 of the Session Laws of the Twentieth Legislative Assembly of 1927; and to repeal Sections 641, 644 and 645 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923; and to repeal Sections 648 and 649 of the Revised Codes of Montana of 1921, as amended by Chapter 12 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to repeal Section 651 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 14 of the Session Laws of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 67 of the Session Laws of the Twenty-First Legislative Assembly of 1929; and to repeal Section 652 of the Revised Codes of Montana of 1921, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923; and to repeal Section 662 of the Revised Codes of Montana of 1921, as amended by Chapter 98 of the Session Laws of the Twentieth Legislative Assembly of 1927, and as further amended by Chapter 34 of the Session Laws of the Twenty-First Legislative Assembly of 1929; all relating to primary elections; and to repeal all Acts and parts of Acts in conflict herewith." Referred to Committee on Judiciary.

S. B. No. 53, by Reed: A Bill for an Act Entitled: "An Act to amend Section 4874 of the Revised Codes, Montana, 1921, as amended by Chapter 82 of the Session Laws of the Eighteenth Legislative Assembly of Montana, relating to the authority of the county commissioners to fix the compensation and appointment of deputy county officers." Referred to Committee on Counties and Towns.

S. B. No. 54, by Galt, Willis, Larson, Campbell, Clifford, and Kaulbach: A Bill for an Act Entitled: "An Act relating to the furnishing of free text-books to pupils attending schools, public or otherwise, including high schools, within the State of Montana, and amending Section 1198, Revised Codes of Montana of 1921." Referred to Committee on Education.

S. B. No. 55, by Kalberg: A Bill for an Act Entitled: "An Act to amend Section 9427 of the Revised Codes of the State of Montana of 1921, relating to property exempt from execution and inserting therein as one of the exemptions on motor vehicle and further providing for a limitation on the exemption of an unmarried person." Referred to Committee on Judiciary.

S. B. No. 56, by Carroll and Simmons: A Bill for an Act Entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of Montana of 1921, as amended by Chapter 191 of the Acts of the Nineteenth Legislative Assembly of the State of Montana and by Chapter 139 of the Acts of the Twentieth Legislative Assembly of the State of Montana, relating to the statement of gross yield of mines and net proceeds and the computation of net proceeds." Referred to Committee on Judiciary.

S. B. No. 57, by Carroll and Simmons: A Bill for an Act Entitled: "An Act to amend Section 2317 of the Revised Codes of Montana of 1921, providing for a license tax for engaging in or carrying on the business of coal mining." Referred to Committee on Judiciary.

S. B. No. 58, by Rowland: A Bill for an Act Entitled: "An Act to amend Section 3697 of the Revised Codes of the State of Montana of 1921 as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925 and Chapter 59 of the Laws of the Twentieth Legislative Assembly of the State of Montana of 1927 and Chapter 152 of the Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931 relating to the open season for deer." Referred to Committee on Fish and Game.

S. B. No. 59, by Kilduff: A Bill for an Act Entitled: "An Act to amend Section 9629 of the Revised Codes of Montana of 1921, relating to appearances in justice court." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of Bills were this day received:

By Keeley: A Bill for an Act Entitled: "An Act to amend Section 5791 of the Revised Codes of Montana of 1921, relating to the right of married women to prosecute and defend actions at law or in equity in the courts of Montana."

By Page: A Memorial memorializing the congress of the United States, endorsing the passage and approval of the Bill introduced by the Honorable Burton K. Wheeler, United States Senator from Montana, fixing the free and unlimited coinage of silver on a basis of sixteen ounces of silver to one ounce of gold.

By Keeley: A Bill for an Act Entitled: "An Act to amend Section 7558 of the Revised Codes of Montana of 1921, relating to restraints upon legal proceedings by stipulation or any form of contract, or disability personal to parties primarily liable."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 17 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Standing Committees this day reported as follows reports adopted:

Committee on Judiciary: That S. B. No. 32 do not pass.

Committee on Judiciary: That S. B. No. 33 do pass.

Committee on Agriculture: That S. J. M. No. 2 do pass.

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bill was this day introduced read first and second times, and referred to committee:

H. B. No. 66, introduced by Kruse: A Bill for an Act Entitled: "An Act to amend Section 8366 of the Revised Codes of Montana 1921 as amended by Chapter 112 Laws of 1931 relating to liens of threshermen and owners of combine harvesters and threshers upon grains or crops." Committee on Agriculture.

The following Bill was this day introduced, read first and second times at length, and referred to committee:

H. B. No. 67, introduced by Grabow and Watson of Missoula, by request: A Bill for an Act Entitled: "An Act appropriating money for the payment of the claim of Justin D. Lovely as compensation or as a pension for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same." Committee on Appropriations.

The following Bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 68, introduced by Freudenstein: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in or about cement plants and at quarries and hydro-electric dams, and providing penalties for a violation thereof." Committee on Labor.

H. B. No. 69, introduced by Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 38 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of Montana, relating to the establishment of district high schools." Committee on Education.

H. B. No. 70, introduced by Stevens: A Bill for an Act Entitled: "An Act to amend Section 2201 of the Revised Codes of Montana of 1921, relating to the time of redemption of tax sales." Committee on Revenue and Taxation.

H. B. No. 71, introduced by Ueland: A Bill for an Act Entitled: "An Act to amend Section 2201 of the Revised Codes of Montana, 1921, and Sections 2214 and 2215 of the Revised Codes of Montana, 1927, as amended

by Chapter 85 of the Session Laws of 1927, extending the time of redemption of property sold for delinquent taxes and extending the period of redemption in Acts commenced for the validation of tax deeds and repealing all Acts and parts of Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 72, introduced by Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of justices of the peace." Committee on Economy.

H. B. No. 73, introduced by Jensen: A Bill for an Act Entitled: "An Act to amend Section 1759 of the Revised Codes of Montana of 1921, as amended by Chapter 113 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 181 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, relating to registration and re-registration of motor vehicles, providing for application for registration and time for making application, assessment and payment of taxes on motor vehicles prior to registration, issuance and assignment of number plates and exhibition thereof, distribution of taxes and license fees collected, application for dealer's license, replacement of number plates, exemption of non-resident owners; prescribing the duties of Registrar of Motor Vehicles and county assessors and county treasurers; to amend Section 1757 of the Revised Codes of Montana of 1921 relating to number plates of motor vehicles prescribing the specifications thereof and providing for assignment of index numbers to counties of state; to amend Section 2002 of the Revised Codes of Montana of 1921 providing when assessment of property shall be made, when and how credits must be assessed, and when motor vehicles shall be assessed; to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, as amended by Chapter 79 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 67, of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, of 1931, providing for the payment of general taxes, special improvement assessments and taxes on motor vehicles; and repealing all Acts and parts of Acts in conflict with the proposed Act." Committee on Highways.

The following memorial was introduced, read first time and second time at length, and referred to Committee on Mines and Mining:

H. J. M. No. 2, introduced by Beadle: A Resolution Memorializing the Congress of the United States, endorsing the passage and approval of the bill introduced by Honorable Burton K. Wheeler, United States Senator from Montana, fixing the free and unlimited coinage of silver on a basis of sixteen ounces of silver to one ounce of gold."

The following Senate Bills were introduced, read first and second times, and referred to committees:

S. B. No. 11, introduced by Kane: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 138 Laws of the Twenty-Second Legislative Assembly of 1931, relating to fixing the standard grades of apples." Committee on Horticulture.

S. B. No. 1, introduced by Garber: A Bill for an Act Entitled: "An Act to amend Section 853 Revised Codes of Montana, 1921, relating to the Greater University of Montana." Committee on Education.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

Shannon in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 13, respectfully report as follows:

That House Bill No. 13 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Committee on State Boards and Officers: A Bill for an Act Entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, of 1921, as amended by Section 10 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana relating to state auditor to pay cities and towns fifty per centum (50% of licenses collected for the maintaining disability and pension fund of the Fire Department Relief Association of a city or town."

By Goodwin, Freudenstein, Beadle: A Bill for an Act Entitled: "An Act permitting any motor carrier authorized by the Board of Railroad Commissioners of the State of Montana to transport persons and—or property for the hire over any public highway of the State of Montana, aggrieved by the cancellation and—or refusal of issuance of motor vehicle liability insurance policy or bond by any insurance or surety company authorized to do business within the State of Montana, to file complaint with the commissioner of insurance of the State of Montana; authorizing the commissioner of insurance after notice to the parties and public hearing held to make appropriate finding or findings and enter an order thereon; providing for an appeal to the district court from the decision of the commissioner of insurance and for an appeal to the supreme court of the State of Montana from any decree of the district court or a judge thereof and authorizing the commissioner of insurance to revoke or suspend the license of any company failing to comply with his said order or decree of court entered upon appeal from his said order."

By Marshall: A Bill for an Act Entitled: "An Act relating to the time and place of holding the annual election of school trustees."

By Repogle: A Bill for an Act Entitled: "An Act levying a license tax on electricity and electrical energy, generated, manufactured or produced in the State of Montana, for barter, sale or exchange and providing for the collection of such taxes and prescribing penalties for the violation of this Act."

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 4884 of the Revised Codes of Montana, 1921, relating to mileage of all officers; and to amend Section 958 of the Revised Codes of Montana, 1921, relating to mileage of school trustees; and to amend Chapter 80 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the charge to be allowed to any state or county officer for the use of automobile when necessarily used in the performance of his official duty; and amending Section 8 Chapter 148 of the Twenty-Second Legislative Assembly of the State of Montana relating to compensation of members of boards of trustees of county high schools."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered as correctly engrossed: H. B. No. 18, H. B. No. 30, H. B. No. 11.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. No. 6.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 39, introduced by Marshall: A Bill for an Act Entitled: "An Act relating to the election of mayor and councilman under the commission form of government and providing when names of candidates at primary elections shall not be placed upon the general municipal election ballot and when no general municipal election shall be held," respectfully report as follows:

That House Bill No. 39 do pass.

CHAPMAN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections having had under consideration House Bill No. 50, introduced by Committee on Privileges and Elections, A Bill for an Act Entitled: "An Act to amend Section 816 of the Revised Codes of Montana of 1921, relating to the time and place of meeting of the presidential electors" respectfully report as follows:

That House Bill No. 50 do pass.

CHAPMAN, Chairman."

On motion by Marshall, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 47, a Bill for an Act Entitled: "An Act appropriating money for the state highway commission for the period beginning July 1, 1933 and ending June 30, 1935." Respectfully report as follows:

That House Bill No. 47 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 46, A Bill for an Act Entitled: "An Act appropriating money for the two year period beginning July 1, 1933, and ending June 30, 1935, for the payment of refunds or drawbacks under the provisions of Chapter 168, Laws of the Twenty-First Legislative Assembly of the State of Montana, or any amendment thereto, relating to refunds of license taxes paid by dealers in gasoline," respectfully report as follows:

That House Bill No. 46 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

Besancon: Move that the House now recess until 1:30 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 1:30 o'clock p. m.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Committee on State Boards and Officers: A Bill for an Act Entitled: "An Act to amend Section 6573 of the Revised Codes of Montana, of 1921, as amended by Chapter 113, Session Laws Twenty-First Legislative Assembly, 1929, relating to persons to whom free transportation may be issued."

By Committee on Judiciary: A Bill for an Act Entitled: "An Act to regulate the conduct of collection agencies and providing a penalty for the violation thereof."

By Committee on Appropriations: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance of the six (6) units of the University of Montana, for the agricultural experiment stations and the sub-stations, for farmers' extension work, for the Bureau of Mines, for the students' railroad fare refund and for fire insurance premiums on the physical plant of the University of Montana and its various branches, for the period beginning July 1, 1933, and ending June 30, 1935."

By Committee on Education: A Bill for an Act Entitled: "An Act authorizing boards of trustees of school districts to issue warrants for the maintenance of the schools of the districts during the school year ending June 30, 1933, in excess of the amount of taxes levied by such school districts and in excess of the available fund which will accrue to such school districts during such school year; validating all warrants issued by school districts, whether issued in excess of the amount of taxes levied or otherwise, and outstanding and unpaid at the close of the school year ending June 30, 1933; and authorizing boards of trustees of school districts to levy special taxes for the payment of all warrants outstanding and unpaid at the close of the school year ending June 30, 1933, or to issue funding bonds and fund the same."

By Marshall: A Bill for an Act Entitled: "An Act relating to the time and place of holding the annual election of school trustees."

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your Committee on Pictures, appointed to interview photographers relative to making a composite group picture of House members, recommend that Mr. Leslie Lyle of the Lyle Studio of Helena be given permission to make this picture.

McCARVEL, Chairman."

On motion by McCarvel, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 1, a Memorial to the Interstate Commerce Commission of the United States, advocating a reduction of freight rates on gasoline from mid-continent points to Montana points, respectfully report as follows:

That Senate Joint Memorial No. 1 be concurred in.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 45, A Bill for an Act Entitled: "An Act to provide for the disposition of moneys heretofore or hereafter seized or taken, and confiscated in cases of the violation of the gambling laws of the State of Montana," respectfully report as follows:

That House Bill No. 45 be amended as follows:

Section 1. After the word "order" and before the word "any" strike out the word "or" and insert the word "of" in lieu thereof; in Section 4. After the word "from" and before the word "after" insert the word "and," and that when so amended the Bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 20, A Bill for an Act Entitled: "An Act to appropriate money for the payment of assessments on certain school lands in Big Lake Drain District No. 1, Stillwater County, Montana," respectfully report as follows:

That House Bill No. 20 do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 67, A Bill for an Act Entitled: "An Act appropriating money for the payment of the claim of Justin D. Love-ly as compensation or as a pension for loss of time suffered by him as the result of tuberculosis contracted by him in the service of the State of Montana while an employee at the State Tuberculosis Sanitarium, at Galen, Montana, and providing for the method of paying the same," respectfully report as follows:

That House Bill No. 67 do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, the majority of your Committee on Public Utilities and State Commissions having had under consideration House Bill No. 33, a Bill for an Act Entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors; providing further for notice and inspection of electrical construction, appliances, safety devices and apparatus, for the payment of inspection fees and prescribing penalties for violations of this Act," respectfully report as follows:

That House Bill No. 33 as amended: That Section B. line 2, on page 2, be amended as follows: "Insert after the word 'compensation' the following phrase, 'which shall not exceed \$2,500.00 per year, per man.'

That Section D, be amended as follows: That after the period in line 20, there be inserted the following sentence, 'Inspectors in determining whether or not construction work is in accord with Chapter 206 of the Revised Codes of Montana of 1921, or the requirements of the United States Bureau of Standards, shall be governed by the requirements of said Code or Bureau of Standards at the time of construction.'

That Section D. be further amended as follows: That in line 15, after the word "on" the words "old construction" be stricken out and that the following phrase be inserted, 'on construction done subsequently to March 15, 1917.' Do pass.

RAGEN, Chairman."

On motion by Ragen, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 19, introduced by Nutting, Bill for an Act Entitled: "An Act relating to the taking of game fish and game and fur-bearing animals relieving damage caused thereby, granting and giving to the state fish and game commission of the State of Montana authority to change or suspend closed seasons and bag limits on game fish and game and fur-bearing animals, and to make and promulgate rules and regulations for the taking, killing, removing or disposing of the same, prescribing penalties for a violation of this Act, and repealing all Acts or parts of Acts in conflict with the provisions hereof," respectfully report as follows:

That House Bill No. 19 do not pass, but that Substitute House Bill No. 19, be amended as follows: In line 13, after the word "reduced" insert a comma; in line 23, after the word "to" insert the word "open," and as so amended do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

Besancon: Mr. Speaker, there are present on the floor of the House several former members of the House, Judge James J. O'Connor of Park, a former speaker, Mr. C. L. Waring of Yellowstone, and Mr. Harry A. Swope of Broadwater.

Whereupon the Speaker appointed committees who escorted these gentlemen to the rostrum where they were presented to the House.

MOTIONS AND RESOLUTIONS

O'Connell: I move that the House instruct the Committee on Workmen's Compensation to conduct and prosecute an investigation into the affairs, finances, activities, investments, income and disbursements of the State Industrial Accident Board; authorizing the Committee to subpoena witnesses as provided in Chapter 4, Sections 79, 80, 81, 82 and 83 of the Revised Codes of Montana, 1921, to take testimony and examine the books and records of the said Industrial Accident Board." Seconded. Carried.

Besancon: Mr. Duffy of Hill has been ill for the past two days and I move he be excused. Without objection, Mr. Duffy excused.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 74, introduced by Committee on Insurance: A Bill for an Act Entitled: "An Act to amend Section 6199 of the Revised Codes of Montana of 1921, and amended by the Session Laws of 1931, relating to Mutual Insurance Companies." Committee on Insurance.

H. B. No. 75, introduced by Ecton: A Bill for an Act Entitled: "An Act requiring all contracts for state, county, municipal and school construction or repair work and maintenance to be let to bona fide residents of the State of Montana, except in cases where federal aid funds are involved and federal statutes contain requirements inconsistent herewith and providing that contracts entered into in violation of the terms hereof shall be void." Committee on Labor.

H. B. No. 76, introduced by Groene: A Bill for an Act Entitled: "An Act to provide for postponement of sale under execution or mortgage foreclosure, providing the terms thereof, and amending Section 9435 of the Revised Codes of Montana of 1921." Committee on Judiciary.

H. B. No. 77, introduced by Nelstead by request: A Bill for an Act Entitled: "An Act to amend Section 1755 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Nine

teenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 129 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, as amended by Chapter 181 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, to amend Section 1758 of the Revised Codes of Montana of 1921, all relating to registration and re-registration of motor vehicles, trailers and semi-trailers, motor and accessories dealers and operators and chauffeurs, prescribing the duties of the Registrar of Motor Vehicles and records to be kept, providing for issuance of certificates of registration and ownership and containers therefor; defining the terms 'owner' and 'legal owner'; providing for renewal of registration, transfer of title or interest in motor vehicles and issuance of new certificates of registration and ownership, for filing of chattel mortgages and conditional sales contracts with registrar of motor vehicles; registration of holder as legal owner, the same being constructive notice of said mortgage or conditional sales contract, fees for certificates and transfers of title; duplicate certificates, and chauffeur's badge." Committee on Highways.

H. B. No. 78, introduced by Moss; A Bill for an Act Entitled: "An Act amending Chapter 121 of the Session Laws of the Twenty-First Legislative Assembly Entitled: 'An Act providing for the registration and licensing of motor vehicles of non-resident owners and providing for registration cards and identification thereof.'" Committee on Highways.

S. B. No. 6, introduced by Garber: A Bill for an Act Entitled: "An Act to amend Chapter 51 of Part III of the political code of the Revised Codes of the State of Montana of 1921, relating to the nomination of candidates by convention or primary meeting or by electors, by adding a new section thereto, to be known as Section 618A providing for the payment of a fee for filing certificates of nomination of candidates nominated under the provisions of this Chapter." Committee on Privileges and Elections.

S. B. No. 23, introduced by Larson and Campbell: A Bill for an Act Entitled: "An Act to amend Section 74 of the Revised Codes of the State of Montana relating to mileage and per diem of members of the Senate and the House of Representatives." Committee on Economy.

S. B. No. 24, introduced by Employment Committee: A Bill for an Act Entitled: "An Act to amend Section 76 of the Revised Codes of the State of Montana of 1921, relating to the compensation of other officers and employees of the Senate and the House of Representatives of the State of Montana." Committee on Economy.

THIRD READING OF HOUSE BILLS

House Bill No. 30, introduced by Rognlien, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden, (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens

(Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speake Total 96.

Noes: None.

Absent and not voting: Duffy, Hagerty, Pierson, Roll, Sullivan. Total

The Speaker: Ninety-Six have voted "aye", none have voted "no". House Bill No. 30 has passed the House.

House Bill No. 6, introduced by Parker of Flathead, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Fowler, Freudenstein, Given, Goodwin, Grabow, Haight, Harrington, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Mile Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Portquamme, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlie, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Watson (Meagher Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 74.

Noes: Anderson, Arnold, Ballard, Fitzstephens, Freed, Green (Dawson), Groene (Fergus), Hilger, Holecek, Jensen, Knowles, Love, Manning, Miller, (Big Horn), Nelstead, Ralston, Ragen, Spangler, Trenne, Wait Total 20.

Absent and not voting: Duffy, Findlater, Hagerty, Harlen, Roll, Rolph, Sullivan. Total 7.

The Speaker: Seventy-four have voted "aye", 20 have voted "no". House Bill No. 6 has passed the House.

Besancon: Move that hereafter bills on third reading be read by title and section only. Motion referred to Committee on Rules, Joint Rules and Order of Business.

House Bill No. 11, introduced by Watson of Missoula, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Greenwood (Dawson), Groene (Fergus), Haight, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Ralston, Rearden, (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes: Byrne, Givens, Harrington, Pilgeram, Replogle. Total 5.

Absent and not voting: Duffy, Hagerty, Harlen, Knowles, Sullivan. Total 5.

The Speaker: Ninety-one have voted "aye", 5 have voted "no"; House Bill No. 11 has passed the House.

House Bill No. 18, introduced by Committee on Appropriations, having been read three several times at length, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Harrington, Jensen, Kruse, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mulholland, Mr. Speaker. Total 86.

Noes: Haight, Hilger, Holecek, Kuhl, Nass, Nutting, Pierson, Repogle. Total 8.

Absent and not voting: Duffy, Freed, Hagerty, Harlen, Knowles, Metlen, Sullivan. Total 7.

The Speaker: Eighty-six have voted "aye", 8 have voted "no"; House Bill No. 18 has passed the House.

NOTICES

Mr. Speaker: I hereby give notice that I will, on tomorrow or some subsequent day, introduce a Bill Entitled: A Bill for an Act Entitled: "An Act to create a public corporation to be known as 'the State Bar of Montana'; to provide for its organization, government, membership and powers; to regulate the practice of law in the State of Montana; to provide penalties for the violation of this Act, and to repeal Sections 8937, 8938, 8939, 8942, 8945, 8946, 8947, 8948, 8949, 8950, 8952, 8953, 8955, 8956, 8957, 8959 and 8969 of the Revised Codes of Montana, 1921, and all Acts and parts of Acts in conflict herewith."

ANNIN OF STILLWATER."

MOTIONS AND RESOLUTIONS

The Speaker: I will rule at this time on the motion of the gentleman from Missoula, in the matter of third reading of House Bills, and desire to withdraw the motion from the Committee on Rules, Joint Rules and Order of Business, and rule that the motion is out of order. Your attention is called to Rule 34, which provides, among other things, that first and second reading shall be by title only; third reading shall be in full and that this rule shall not be suspended. Then follows this proviso: "Except that upon notice duly given to the House at least one day prior to the third reading of any Bill, such third reading may be dispensed with by a two-thirds vote of the members present." I therefore, rule that in order to dispense with the third reading in full, it will be necessary to have the unanimous consent of the House or dispensed with by a two-thirds vote of the members present, upon notice given one day prior to such third reading.

Beadle requested and was granted permission for the use of the hall of the House for a public hearing on House Bill No. 32 on Tuesday, January 31st, at 7:00 o'clock p. m.

Rognlien requested and was granted additional time for the Committee on Revenue and Taxation, for consideration of House Bills No. 35 and 38.

Besancon: Move that the House adjourn until tomorrow morning at 9:00 o'clock. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-FIFTH DAY

House of Representatives,
Helena, Montana, January 26, 1933.

House convened, pursuant to adjournment, at 9:00 o'clock a. m.
Mr. Speaker in the Chair.

Invocation by Rev. O. R. A. Tollefson of Wolf Point.

On roll call, all members present except Cusker, excused.

COMMUNICATIONS AND PETITIONS

A communication was read from the Senate and House of Representatives of the State of Washington, together with a Joint Memorial transmitted therewith, urging legislation for the remonitization of silver. Referred to the Committee on Mines and Mining, to which was referred the Memorial introduced by Beadle of Silver Bow yesterday.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Freed: A Bill for an Act Entitled: "An Act to amend Section 89 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, 1931."

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 4884 of the Revised Codes of Montana, 1921, relating to mileage of all officers; and to amend Section 958 of the Revised Codes of Montana, 1921, relating to mileage of school trustees; and to amend Chapter 80 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the charge to be allowed to any state or county officer for the use of automobile when necessarily used in the performance of his official duty; and to amend Section 8 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly relating to compensation of members of boards of trustees of county high schools."

By Stevens: A Bill for an Act Entitled: "An Act to authorize a trap-per's license restricted to lands owned or occupied by applicant."

By Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: 'An Act to amend Section 3210 of the Revised Codes of 1921, as amended by Chapter 123, Session Laws of 1925, and Chapter 129, Session Laws of 1929, relating to the qualifications for admission to schools for nurses."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bill be considered as correctly engrossed: H. B. No. 13.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bill correctly engrossed: H. B. No. 8.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 23, beg leave to report that the same has this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 69, a Bill for an Act Entitled: "An Act to amend Section 38 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of Montana, relating to the establishment of district high schools," respectfully report and recommend as follows: That House Bill No. 69 do pass.

FREED, Chairman."

On motion of Freed, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 48, a Bill for an Act Entitled: "An Act permitting Herman A. Kruger of Hill County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident," respectfully report and recommend as follows: That House Bill No. 48 do pass.

O'CONNELL, Chairman."

On motion of O'Connell, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, January 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of Bills were this day received:

By Cooper: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 95 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, relating to the protection of the forest and forest lands within the State of Montana."

By Staggs and Jergensen: A Bill for an Act Entitled: "An Act to amend Sections 681 and 682 of the Revised Codes of the State of Montana of 1921 relating to the form, color and size of the election ballot and providing for a 'short form' ballot, and repealing all Acts and parts of Acts in conflict therewith."

By Larson and Willis: A Bill for an Act Entitled: "An Act amending Section 3670 of the Revised Codes of the State of Montana of 1921 as amended by Chapter 59 of the Session Laws of 1927, providing that all sales and purchases made by the State Fish and Game Commission shall be upon requisitions granted by the State Purchasing Agent."

By Clifford: A Memorial memorializing the Congress of the United States for a grant of land for the use and benefit of the Northern Montana Agricultural and Manual Training School."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on Employment: "We, your Committee on Employment, be leave to report the following person engaged for the Senate organization Howard Eliason, Assistant Janitor."

Committee on Judiciary: That S. B. No. 19 be amended by striking out the word, "felony," in line 1, page 2, original Bill, and inserting in lieu thereof the word "misdemeanor," and by striking out the word "one" in line 2, page 2, original bill, and the words and figures "hundred dollar (\$100.00)," in line 3, page 2, original bill, and inserting in lieu thereof the words and figures, "fifty dollars (\$50.00)," and by striking out all of line 4 after the word, "imprisonment," and all of lines 5 and 6, and inserting in lieu thereof the following words: "In the county jail for not less than six (6) months or by both such fine and imprisonment"; and as so amended, recommend said bill do pass.

Committee on Insurance: That S. B. No. 22, by Carroll, do not pass.

Committee on Counties and Towns: That S. B. No. 25, by Kaulbach be amended by inserting after the word, "county," in line 14, page 1. original bill, the words, "per capita by the week"; also in line 30, page 1, original bill, by inserting after the word "bidder," the words, "or bidders" and as so amended, that same do pass.

Committee on Roads and Highways: That S. B. No. 28, by Ekegren, be amended as follows: That the words in Section 2, line 13, page 1, of said bill after the word, "bus" "shall be battleship gray in color," shall be stricken out, and the words in Section 3, line 26, page 1, of said bill, "county superintendent of schools of the county," be stricken, and in lieu thereof the words, "Board of Trustees of the School District," be inserted; and that after the word, "dollars", in Section 3, line 31, Page 2, the words, "to the State of Montana," shall be inserted. That the word, "absolutely," in Section 4, line 7, page 2, of said bill be stricken, and that the word, "reasonably," be inserted in lieu thereof. And as so amended, recommend that the bill do pass.

Committee on Counties and Towns: That S. B. No. 50, by Pauline, do pass.

Committee on Counties and Towns: That S. B. No. 53, by Reed, do pass.

Committee on Banks and Banking: That H. B. No. 7 be amended as follows: In the tenth line of the paragraph which begins with Section 16, add the word, "all", after the word, "designate"; in the eleventh line add the word, "so", between the word, "be" and the word, "bonded"; in line 11 strike out the period (.) after the word, "given", and insert the words, "by each"; in Line 11 place the period (.) after the word, "each", instead of after the word, "given"; and as so amended, recommend said bill be concurred in.

Committee on Finance and Claims: That H. B. No. 14 be concurred in.

Committee on Finance and Claims: That H. B. No. 16 be amended by adding a new section to be known as Section Five (5):

"Section 5. Appropriations herein above provided for shall be deemed and held valid notwithstanding the provisions of the budget Act."

And as so amended, recommend the same be concurred in.

Committee on Federal Relations: That House Joint Memorial No. 1, by Ralston, be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to Committees:

S. B. No. 60, by Keeley: A Bill for an Act Entitled: "An Act to amend Section 7558 of the Revised Codes of Montana of 1921, relating to restraints upon legal proceedings by stipulation or any form of contract, or disability personal to parties primarily liable." Referred to Committee on Judiciary.

S. B. No. 61, by Keeley: A Bill for an Act Entitled: "An Act to amend Section 5791 of the Revised Codes of Montana of 1921, relating to the right of married women to prosecute and defend actions at law or in equity in the courts of Montana." Referred to Committee on Judiciary.

S. B. No. 62, by Reed: A Bill for an Act Entitled: "An Act to amend Sections 48, 49 and 50 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the granting, by the State Board of Land Commissioners, of prospecting permits for the exploration for ores, metals, precious stones and other valuable minerals on lands now owned by the state, or mineral rights held by the state, and for any lands to be acquired by the state; providing for the term of said permits and further providing for the issuance of mining leases by the State Board of Land Commissioners permitting development and mining operations of said lands." Referred to Committee on Mines and Mining.

S. B. No. 63, by Husband and Armstrong: A Bill for an Act Entitled: "An Act to repeal Sections 2069, 2070, 2071, 2072, 2073, 2074 and 2075 of the Revised Codes of the State of Montana of 1921, relating to the assessment of migratory livestock." Referred to Committee on Stockgrowing and Grazing.

Senate Joint Memorial No. 6, by Page: A Memorial memorializing the Congress of the United States, endorsing the passage and approval of the bill introduced by the Honorable Burton K. Wheeler, United States Senator from Montana, fixing of silver on a basis of sixteen ounces of silver to one ounce of gold. Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Besancon: Move that Rule 34 of the Rules of the House be amended by adding the following after the second part of paragraph 1, to-wit: "And by unanimous consent any bill or bills may be read by title, history and section number only."

Motion referred to Committee on Rules, Joint Rules and Order of Business.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 79, introduced by Replogle: A Bill for an Act Entitled: "An Act levying a license tax on electricity and electrical energy, generated, manufactured or produced in the State of Montana, for barter, sale or exchange and providing for the collection of such taxes and prescribing penalties for the violation of this Act." Committee on Revenue and Taxation.

H. B. No. 80, introduced by Ralston: A Bill for an Act Entitled: "An Act to amend Section 2875 of the Revised Codes of Montana of 1921, relating to workmen's compensation." Committee on Workmen's Compensation.

H. B. No. 81, introduced by Sparling: A Bill for an Act Entitled: "An Act to amend Section 11973 of the Revised Codes of Montana, 1921, relating to the separate and joint trials of persons jointly charged with the commission of public offenses." Committee on Judiciary.

H. B. No. 82, introduced by Woodcock: A Bill for an Act Entitled: "An Act providing for the licensing of automobile mechanics; for the application for such license; for a board of automobile mechanics examiners; for examination fee and renewal of licenses; for rules and regulations as to apprentices; for regulations as to the use of moneys paid as license fees; for the revocation of such licenses; for issuance of licenses without examination and fixing a penalty for the violation of this Act." Committee on Labor.

The following bill was this day introduced, read first and second times at length, and referred to Committee:

H. B. No. 83, introduced by Committee on Appropriations: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance of the six (6) units of the University of Montana, for the agricultural experiment stations and the sub-stations, for farmers' extension work, for the bureau of mines, for the students' railroad fare refund, for the period beginning July 1, 1933, and ending June 30, 1935." Committee on Appropriations.

The following Bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 84, introduced by Committee on State Boards and Officers: A Bill for an Act Entitled: "An Act to amend Section 6573 of the Revised Codes of Montana of 1921, as amended by Chapter 113, Session Laws Twenty-First Legislative Assembly, 1929, relating to persons to whom free transportation may be issued." Committee on State Boards and Officers.

H. B. No. 85, introduced by Committee on State Boards and Officers: A Bill for an Act Entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, 1921, as amended by Section 10 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to state auditor to pay cities and towns fifty per centum (50%) of licenses collected for the maintaining disability and pension fund of the Fire Department Relief Association of a city or town." Committee on State Boards and Officers.

THIRD READING OF HOUSE BILLS

House Bill No. 13, introduced by Holecek, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Doran, Duffy, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvell, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roglien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Ballard, Conner, Cusker, Ecton, Haight, Knowles, Spangler, White. Total 8.

The Speaker: Ninety-three have voted "aye", none have voted "no"; House Bill No. 13 has passed the House.

House Bill No. 8, introduced by Besancon, having been read three several times, title and history agreed upon, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Doran, Duffy, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecsek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 90.

Noes. None.

Absent and not voting: Ballard, Conner, Cusker, Ecton, Freed, Green (Dawson), Knowles, Metlen, Roll, Shannon, Spangler. Total 11.

The Speaker: Ninety have voted "aye", none have voted "no"; House Bill No. 8 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders. Seconded. Carried.

Marshall of Missoula in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Joint Memorial No. 1 and House Bill No. 23, respectfully report and recommend as follows: That Senate Joint Memorial No. 1 be concurred in; That House Bill No. 23 do pass.

MARSHALL, Chairman."

On motion of Marshall, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Committee on Revenue and Taxation: A Bill for an Act Entitled: An Act relating to the sale of cigarettes, and cigarette papers and wrappers and papers used and prepared for the making of cigarettes; providing for the issuing of licenses for the privilege of engaging in the business of the sale thereof and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof and penalty for violation of this Act and defining the duties of the State and County Officials."

By Replogle: A Bill for an Act Entitled: "An Act to amend Section of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly, 1923, as amended by Section 1 of Chapter 79 of the Session Laws of the Twenty-First Legislative Assembly, 1929, and Section 2169 of the Revised Codes of Montana of 1921 as amended by Section 2 of Chapter 96

of the Session Laws of the Twenty-Second Legislative Assembly, 1931, relating to the collection of taxes and the time and method of collecting the same, the interest thereon, and providing penalties for the delinquency thereof, and the form of notice of such delinquency to be given."

By Freudenstein: A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, to be stopped at all railway grade crossings before traversing such crossings."

By Shannon, Stephens and Duffy: A Bill for an Act Entitled: "An Act to grant a two year moratorium on all mortgages."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 11, A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 138, Laws of the Twenty-Second Legislative Assembly, of 1931, relating to fixing the Standard Grades of Apples." Respectfully report as follows:

That Senate Bill No. 11, be concurred in.

PORTER, Chairman."

On motion of Porter, report adopted.

Besancon: Move the House recess until 1:30 this afternoon.

AFTERNOON SESSION

Besancon called the attention of the Speaker to the fact that the Honorable Roy E. Ayers was present on the floor of the House. The Speaker thereupon appointed Metlen of Beaverhead and Nelstead of Carter to escort Mr. Ayers to the rostrum. He was then presented to the members of the House.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day introduce Bills as follows:

By Porter, Watson of Missoula, Wigal, Roll, Jensen: A Bill for an Act Entitled: "An Act to regulate the sale of, and to fix the standard grades for farm products; to provide for inspection, branding and labeling thereof; defining certain terms; conferring certain powers upon the commissioner of agriculture; and fixing certain penalties for the violation thereof, and declaring an emergency."

By Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Sections 3142 and 3149 of the Revised Codes of Montana of 1921, relating to the qualifications of persons practicing chiropractic, the collection of renewal license fees and the regulation of the practice of chiropractic."

By Kruse and O'Shea: A Bill for an Act Entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by any competing form of transportation service; and to prohibit the control of both competing forms of transportation by any railroad company; and prescribing a penalty for a violation of this Act."

By Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 127 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana 1929, and to amend Sections 3 and 9 of the Session Laws of the Twenty-First Assembly of the State of Montana 1929 as amended by Chapter 18 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana 1931, defining the practice of barbering, the qualifications for a certificate and registration of registered barbers; defining the powers and duties of the board of examiners."

By Pilgeram and Givens: A Bill for an Act Entitled: "An Act to amend Section 5121 of the Revised Codes of Montana, 1921, as amended by Chapter 58, of the laws of the Twentieth Legislative Assembly, relating to duties of trustees of the Fire Department Relief Association and to amend Section 5130 of the Revised Codes of Montana of 1921 as amended by Chapter 58 of the laws of the Twentieth Legislative Assembly, and as further amended by Chapter 137, of the laws of the Twenty-First Legislative Assembly relating to duties of the secretary and treasurer of Fire Department Relief Association. The official bond of the treasurer and the duties of the State Examiner with reference to the examination of the books and accounts of such association, and prescribing qualifications for membership in such association."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 44, introduced by Lott: A Bill for an Act Entitled: "An Act to amend Section 2038 of the Revised Codes of Montana of 1921, as amended by Chapter 43 of the Session Laws of 1925, relating to traveling expenses of the assessor and deputies," respectfully report as follows: That House Bill No. 44 do pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 35, introduced by Ballard, A Bill for an Act Entitled: "An Act to amend Section 4775 of the Revised Codes of Montana for the year 1921 relating to the appointment of under-sheriffs," respectfully report as follows: That House Bill No. 35 do pass.

BYRNE, Chairman."

On motion of Byrne, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 83, A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance of the six (6) units of the University of Montana, for the Agricultural Experiment Stations and the sub-stations, for farmers' extension work, for the Bureau of Mines, for the students' railroad fare refund, for the period beginning July 1, 1933 and ending June 30, 1935," respectfully report as follows:

That House Bill No. 83 be amended as follows: Section 5, line 4, after the word "purpose" insert the following: "Other than retiring outstanding warrants created by the University millage fund," and that as so amended the Bill do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills No. 9, 39, 46, 47 and 50, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, January 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 12, by Snidow, was this day recommended for non-concurrence by the Senate Committee on Judiciary, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 3, by Burr.

S. B. No. 17, by Simmons.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

The following resolution was introduced by Daugherty, and read at length:

WHEREAS by Chapter 190 of the Laws of 1931, the State Board of Equalization was appointed a taxation and consolidation commission of the State of Montana with certain duties, among others to examine our present system of taxation, together with possible changes therein to the extent that there be established a basis and fiscal policy of taxation in the State of Montana, necessary to provide sufficient revenue to operate the state and local government, and

WHEREAS by the Chapter 3, Session Laws of the Eighteenth Legislative Assembly, the State Board of Equalization is given the power and duty to annually assess the franchise, roadway, roadbeds, rails and rolling stock and all other property of all railroads, and the pole lines and rights of way and all other property of all telegraph and telephone lines, electric power and transmission lines, ditches, canals, and flumes and other similar property constituting a single and continuous property operated in more than one county of the state and to apportion such assessment to the counties in which such properties are located on a mileage basis, and

WHEREAS it is required by law that such public utilities should make return of the true value of their property, and

WHEREAS the United States District Court for the District of Montana speaking through the Honorable Judge George M. Bourquin, Federal Judge, in the case of Great Falls Gas Company against the Public Service Commission, 34 Fed. (2d) 299 decreed, "there cannot be one true value for a return for taxation and a different true value for rate making. Every principal of reason and justice dictates that for both purposes that value must be and is one and the same." And

WHEREAS in its report to this Legislative Assembly said State Board of Equalization as such taxation and consolidation commission filed its letter of transmittal to the Senate and House of Representatives, but failed to advise the Legislature as to the fact that the valuation of the property of public utilities in the State of Montana for rate making purposes is approximately double the valuation of the same property of such public utilities for taxation purposes, and

WHEREAS the Public Service Commission fixes and determines the valuation of such property for rate making purposes and the State Board of Equalization fixes the valuation of the property of said public utilities for taxation purposes.

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the Twenty-Third Legislative Assembly:

That said State Board of Equalization as such taxation and consolidation commission advice and inform this Body within five days from the passage of this Resolution, of the valuation placed upon the property of the various public utilities for taxation purposes as assessed by it in the State of Montana, and the valuation placed upon the same property of the same public utilities by the Public Service Commission of the State of Montana for rate making purposes.

Dougherty: Move that the Resolution be adopted, and that we get as speedy action on it as possible. Seconded. Carried.

Besancon: Move that the House reconsider its action of yesterday on the report of the Fish and Game Committee with reference to House Bill No. 19. Seconded. Carried.

Spangler: The Committee on Fish and Game asks permission to withdraw its report of yesterday on House Bill No. 19. Without objection, permission granted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were this day introduced, read first and second times and referred to committees:

H. B. No. 86, introduced by Annin, by request: A Bill for an Act Entitled: "An Act to create a public corporation to be known as 'the State Bar of Montana'; to provide for its organization, government, membership and powers; to regulate the practice of law in the State of Montana; to provide penalties for the violation of this Act, and to repeal Sections 8937, 8938, 8939, 8942, 8945, 8946, 8947, 8948, 8949, 8950, 8952, 8953, 8955, 8956, 8957, 8959 and 8960 of the Revised Codes of Montana, 1921, and all Acts and parts of Acts in conflict herewith." Committee on Corporations other than Municipal.

H. B. No. 87, introduced by Committee on Judiciary: A Bill for an Act Entitled: "An Act to regulate the conduct of collection agencies and providing a penalty for the violation thereof." Committee on Judiciary.

S. B. No. 3, introduced by Burr: A Bill for an Act Entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, if the taxes be paid by November 30, 1934, and extending the time of taking tax deed to November 30, 1934." Committee on Revenue and Taxation.

S. B. No. 17, introduced by Simmons: A Bill for an Act Entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1921, relating to exemption of earnings, debts incurred for necessities." Committee on Judiciary.

MOTIONS AND RESOLUTIONS

The following Resolution was introduced by Shannon, and read at length:

A Resolution opposing calling a conference which would mobilize the economic industrial, agricultural, educational and governmental forces of the state to consider ways and means of meeting the unprecedented crisis in all the state's affairs.

WHEREAS, We of the Legislature are opposed to any conference of other representatives being called to Helena to solve the problems of the State, and

WHEREAS, We, the duly elected representatives of the people, were elected by the people to solve their problems for them and to act as their representatives to consider the crisis and condition of the State's finances, and

WHEREAS, We feel that we have the average intelligence and the backbone to carry out the mandates of the people who elected us and not stand with trembling knees before the problems confronting us.

THEREFORE, be it resolved that we are opposed to the calling of any conference to Helena to solve the problems of the state.

(Signed) SHANNON.

Shannon: Move the Resolution be adopted. Seconded. Carried.

THIRD READING OF SENATE BILLS

S. J. M. No. 1, introduced by Joint Committee of House and Senate, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 97.

Noes: None.

Absent and not voting: Harlen, Haight, Pierson, Rolph. Total 4.

The Speaker: Ninety-Seven have voted "aye", none have voted "no," S. J. M. No. 1 has been concurred in by the House.

Besancon: Move that General Orders be passed for the day. Seconded. Carried.

Besancon: Move the House now adjourn until 9:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-SIXTH DAY

House of Representatives,
Helena, Montana, January 27, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.
Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Duffy, excused.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-Fourth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Marshall: A Bill for an Act Entitled: "An Act relating to the time and place of holding the annual election of school trustees; combining annual elections of school trustees and general municipal elections in certain cases and imposing upon the judges at general municipal elections the duties of judges at annual school trustees' elections."

By Miller of Lincoln: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 95 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to protection of forests and forest lands for control of fires."

By Hagerty: A Bill for an Act Entitled: "An Act providing for the appointment of special railroad police officers, prescribing their qualifications, powers and duties, compensation, term of office, and issuance of commissions thereto, and providing for the disposition of persons arrested by them."

By Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1012 of the Revised Codes of Montana, 1921, relating to the authority of school districts to issue warrants before school moneys are collected; and making valid and legal all warrants heretofore issued in conformity therewith."

By Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1204 of the Revised Codes of Montana, 1921, relating to the apportionment of common school funds."

By Haight: A Bill for an Act Entitled: "An Act to repeal Section 976 of the Revised Codes of Montana of 1921 relating to the publication of annual financial statements of school districts by county superintendents of schools."

By Whaley: A Bill for an Act Entitled: "An Act to amend Section 17 of Chapter 17 of the Laws of the Twentieth Legislative Assembly of the State of Montana, as amended by Section 1 of Chapter 168 of the Laws of the Twenty-first Legislative Assembly of the State of Montana and as further amended by Section 1 of Chapter 175 of the Laws of the Twenty-second Legislative Assembly of Montana, relating to the procedure for obtaining a refund or drawback of license taxes paid upon gasoline and providing for the issuance of exemption certificates to be used in lieu of the payment of the tax at the time of purchase of such gasoline."

By Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for custodian of the Montana State Fair grounds beginning July 1, 1933 and ending June 30, 1935."

By Roll: A Bill for an Act Entitled: "An Act regarding the organization, management, control and discipline of the water departments in cities having a population of twenty-eight thousand or more, which own and operate a plant for the supply of water to their inhabitants; establishing a basis for determining the population of such cities; prescribing the powers of the mayor, council and city surveyor, city engineer, or other head of the engineering department, in reference to such water department; dividing the service in such department into unclassified and classified service and specifying such classes; prescribing the qualifications of members in the classified service, their term, the method of their appointment,

trials for misconduct or malfeasance in the classified service, and suspension or discharge, and to provide for a water department examining and trial board to examine all applicants for the classified service in the water department, and to try and determine all charges against those engaged in such service; prescribing the method of review of the decisions and sentences of such board; defining the eligible list in the classified service and providing for promotions and filling of vacancies in such service; and otherwise relating to matters connected with the classified service in the water departments of such cities.

By Committee on Appropriations: A Bill for an Act Entitled: "An Act to appropriate money for the payment of the claim of Ford E. Hovey and Matt H. Tschirgi, as executors of the last will and testament of Frank M. Heinrich, deceased, for the repayment of excess inheritance tax paid by the said executors."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on State Boards and Officers having had under consideration House Bill No. 85, introduced by Committee on State Boards and Officers.

A Bill for an Act Entitled: "An Act to amend Section 5127 of the Revised Codes of Montana of 1921, as amended by Section 10 of Chapter 1 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to State Auditor to pay cities and towns fifty per centum (50%) of licenses collected for the maintaining disability and pension fund of the Fire Department Relief Association of a city or town. Respectfully report and recommend as follows: That House Bill No. 85 do pass.

GOODWIN, Chairman."

On motion of Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 19, introduced by Nutting, A Bill for an Act Entitled: "An Act relating to the taking of game fish, and game and fur-bearing animals relieving damage caused thereby, granting authority giving to the State Fish and Game Commission of the State of Montana authority to change or suspend closed seasons and bag limits on game fish and game and fur-bearing animals, and to make and promulgate rules and regulations for the taking, killing, removing or disposing of the same, prescribing penalties for a violation of this Act, and repealing Acts or parts of Acts in conflict with the provisions thereof," respectfully report and recommend as follows: That House Bill No. 19 be amended as follows:

- 1st. That lines be numbered consecutively starting with one.
- 2nd. In title, line four, page one after the word "game" and before the word "animals" strike out the words "and fur-bearing."
- 3rd. In title, page one, line eight, after the word "game" and before the word "animals" strike out the word "and fur-bearing."
- 4th. In Section one, page one, lines fifteen and sixteen, after the word "game" and before the word "animals" strike out the words "and fur-bearing."
- 5th. In Section one, page one, lines thirty and thirty-one, after the word "game" and before the word "animals" strike out the words "and fur-bearing."
- 6th. In Section one, page one, line nineteen after the word "reduce" and before the word "or" insert a (,).

7th. In Section one, page one, line twenty-nine after the word "to" and before the word "retard" insert the word (open). And that as so amended House Bill No. 19 do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 54, A Bill for an Act Entitled: "An Act to amend Section 807 of the Revised Codes of Montana of 1921, relating to the printing in pamphlet form of election laws," respectfully report and recommend as follows:

That House Bill No. 54 do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bill be considered as correctly engrossed: H. B. No. 23.

ROLPH, Chairman."

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, January 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows: reports adopted:

Committee on Oils and Leases: That S. B. No. 15 do not pass.

Committee on Taxation: That S. B. No. 20 do not pass, but that Sub. S. B. No. 20 do pass.

Committee on State and County Economies: That S. B. No. 29 do pass.

Committee on Judiciary: That S. B. No. 42 do not pass.

Committee on Judiciary: That S. B. No. 43 do not pass.

Committee on Judiciary: That S. B. No. 55 do not pass.

Committee on Finance and Claims: That Senate Resolution No. 4 be adopted.

Committee on Judiciary: That H. B. No. 12 be not concurred in.

Committee on Finance and Claims: That Sub. H. B. No. 15 be concurred in.

Committee on State and County Economies: That H. B. No. 21 be concurred in.

Committee on Elections and Privileges: That H. B. No. 5 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to Committees:

H. B. No. 6, referred to Committee on Elections and Privileges.

H. B. No. 11, referred to Committee on Fish and Game.
 H. B. No. 18, referred to Committee on Finance and Claims.
 H. B. No. 30, referred to Committee on Elections and Privileges.

Respectfully,

J. F. CONE,
 Secretary.

Helena, January 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. J. M. No. 4 do pass.
 That consideration of S. B. No. 14 be passed for the day.
 That consideration of S. B. No. 34 be passed for the day.
 That S. B. No. 35 do pass.
 That H. B. No. 7 be concurred in.
 That H. B. No. 14 be concurred in.
 That H. B. No. 16 be concurred in.
 That H. J. M. No. 1 be concurred in.

Respectfully,

J. F. CONE,
 Secretary.

Helena, January 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 64, by Larson and Willis: A Bill for an Act Entitled: "An Act amending Section 3670 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 59 of the Session Laws of 1927, providing that all sales and purchases made by the State Fish and Game Commission shall be upon requisitions granted by the State Purchasing Agent. Referred to Committee on Fish and Game.

S. B. No. 65, by State and County Economies Committee: A Bill for an Act Entitled: "An Act to amend Sections 4872 and 4873 Revised Code of Montana 1921, Section 4874 Revised Codes of Montana 1921, as amended by Chapter 82 Session Laws 1923 and Sections 4875, 4878 and 4880 Revised Codes of Montana 1921, and repealing Sections 4876, 4877, 4881, 4882 and 4883, Revised Codes of Montana 1921, all relating to deputies and assistants to county officers and their salaries and compensation. Referred to Committee on State and County Economies.

S. B. No. 66, by State and County Economies Committee: A Bill for an Act Entitled: "An Act to amend Sections 4885 and 4916, Revised Code of Montana 1921, as amended by Chapter 111, Session Laws 1927, and Chapter 89, Session Laws 1929, relating to the mileage, expense and fees of sheriffs." Referred to Committee on State and County Economies.

S. J. M. No. 7, by Clifford: A Memorial memorializing the Congress of the United States for a grant of land for the use and benefit of the Northern Montana Agricultural and Manual Training School. Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE,
 Secretary.

Helena, January 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Holton: A Bill for an Act Entitled: "An Act to amend Section 2201 of the Revised Codes of the State of Montana of 1921, relating to the time of redemption of property from tax sales."

By Corwin: A Bill for an Act Entitled: "An Act regulating the business of warehousing or storing beans and requiring all persons engaged in that business to first procure a license and furnish a bond and prescribing penalties for a violation of the Act and prescribing the powers and duties of the Commissioner of Agriculture."

By Walker: A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, to be stopped at all railway grade crossings before the traversing such crossings."

By Campbell: A Bill for an Act Entitled: "An Act providing for the sale or removal from the State of Montana of personal property covered by a conditional sales contract or lease, without the consent of the vendor or lessor, or the concealment of said property within the state and refusal to deliver possession after default and demand of vendor or lessor shall constitute a felony and prescribing the penalty therefor."

By Kemmis: A Bill for an Act Entitled: "An Act legalizing and validating any bonds issued or hereafter to be issued by any county of this state by authority of any election held in such county for the purpose of creating or increasing any county indebtedness where such election was held and votes canvassed and the election declared carried as authorized by law prior to the enactment of Chapter 188 of the Session Laws of 1931, and where no resolution was adopted by the Board of County Commissioners of such county directing the issuance of said bonds prior to the 5th day of October, 1932."

By Reed: A Resolution memorializing the President and Congress of the United States to support or initiate a movement to stabilize the monetary and credit basis, so as to improve world commodity prices.

By Rowland: A Bill for an Act Entitled: "An Act to amend Section 2410 of the Revised Codes of Montana of 1921, relating to the preparing and printing of licenses by the county clerk and the furnishing of the same to the county treasurer, and repealing Sections 2411 and 2412 of the Revised Codes of Montana of 1921 relating thereto."

By Rowland: A Bill for an Act Entitled: "An Act to amend Section 3736 of the Revised Codes of the State of Montana of 1921, relating to the fees for shipping permits."

By Plumer: A Bill for an Act Entitled: "An Act relating to the sale and leasing of lands acquired by counties by tax deeds."

By Galt and Delaney: A Bill for an Act Entitled: "An Act to amend Section 2840 of the Revised Codes of Montana of 1921, Section 2870 of the Revised Codes of Montana of 1921, Sections 2912, 2913, 2914, 2915 and 2920 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-First Legislative Assembly of 1929; all relating to workmen's compensation."

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 88, introduced by Committee on Education; A Bill for an Act Entitled: "An Act authorizing boards of trustees of school districts to issue warrants for the maintenance of the schools of the districts during the school year ending June 30, 1933, in excess of the amount of taxes levied by such school districts and in excess of the available funds which will

accrue to such school districts during such school year; validating all warrants issued by school districts, whether issued in excess of the amount of taxes levied or otherwise, and outstanding and unpaid at the close of the school year ending June 30, 1933; and authorizing boards of trustees of school districts to levy special taxes for the payment of all warrants outstanding and unpaid at the close of the school year ending June 30, 1933, or to issue funding bonds and fund the same." Committee on Education.

H. B. No. 89, introduced by Stevens: A Bill for an Act Entitled: "An Act to authorize a trapper's license restricted to lands owned or occupied by applicant." Committee on Fish and Game.

H. B. No. 90, introduced by Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 4884 of the Revised Codes of Montana, 1921, relating to mileage of all officers; and to amend Section 958 of the Revised Codes of Montana, 1921, relating to mileage of school trustees; and to amend Chapter 80 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the charge to be allowed to any state or county officer for the use of automobile when necessarily used in the performance of his official duty; and to amend Section 8 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly relating to compensation of members of boards of trustees of county high schools." Committee on Economy.

H. B. No. 91, introduced by Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Section 3210 of the Revised Codes of 1921, as amended by Chapter 123, Session Laws of 1925, and Chapter 129, Session Laws of 1929, relating to the qualifications for admission to schools for nurses." Committee on Public Health and Sanitary Affairs.

H. B. No. 92, introduced by Freudenstein: A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, to be stopped at all railway grade crossings before traversing such crossings." Committee on Public Safety.

H. B. No. 93, introduced by Goodwin, Freudenstein, Beadle and Harrington: A Bill for an Act Entitled: "An Act permitting any motor carrier authorized by the Board of Railroad Commissioners of the State of Montana to transport persons and / or property for hire over any public highway in the State of Montana, aggrieved by the cancellation and / or refusal of issuance of motor vehicles liability insurance policy or bond by any insurance or surety company authorized to do business within the State of Montana, to file complaint with the Commissioner of Insurance of the State of Montana; authorizing the Commissioner of Insurance after notice to the parties and public hearing held to make appropriate finding or findings and enter an order thereon; providing for an appeal to the district court from the decision of the Commissioner of Insurance and for an appeal to the Supreme Court of the State of Montana from any decree of the district court or a judge thereof and authorizing the Commissioner of Insurance to revoke or suspend the license of any company failing to comply with his said order or decree of court entered upon appeal from his said order." Committee on Judiciary.

H. B. No. 94, introduced by Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Section 3142 and 3149 of the Revised Codes of Montana of 1921 relating to the qualifications of persons practicing chiropractic, the collection of renewal license fees and the regulation of the practice of chiropractic." Committee on Public Health and Sanitary Affairs.

H. B. No. 95, introduced by Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 127 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana 1929 and to amend Sections 3 and 9 of the Session Laws of the Twenty-first Assembly of the State of Montana, 1929, as

amended by Chapter 18 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana 1931, defining the practice of barbering, the qualifications and certificate and registration of registered barbers; defining the powers and duties of the board of examiners." Committee on Public Health and Sanitary Affairs.

THIRD READING OF HOUSE BILLS

House Bill No. 23, introduced by Byrne, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Somerville, Spangler, Sparling, Stiefel, Strange, Sullivan, Ueland, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Findlater, Hagerty, Hilger, Miller (Big Horn), Nelstead, Pilgeram, Porter, Ragen, Snidow, Stephens (McCone), Stevens (Wheatland), Trenne, Waite, White. Total 14.

Absent and not voting: Duffy, Metlen. Total 2.

The Speaker: Eighty-Five have voted "aye"; 14 have voted "no"; House Bill No. 23 has passed the House.

GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders. Seconded. Carried.

O'Connell of Silver Bow in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 11, House Bill No. 46, House Bill No. 9, House Bill No. 39, House Bill No. 50, and House Bill No. 47, respectfully report and recommend as follows:

That Senate Bill No. 11 be concurred in.

That House Bill No. 46 do pass.

That House Bill No. 9 do pass.

That House Bill No. 39 do pass.

That House Bill No. 50 do pass.

That House Bill No. 47 do pass.

O'CONNELL, Chairman.

On motion of O'Connell, report adopted.

COMMUNICATIONS AND PETITIONS

The following telegram was read:

Washington, D. C. January 26, 1933.

Appropriations Committee, House of Representatives,
Helena, Montana.

Reconstruction finance corporation has made exception to rule that funds will not be supplied for relief work administrative costs in the case of but few states including Montana. It will pursue that policy but will

not deny aid to states whose financial situation make provision impossible or distressing. In any case state will not be penalized. I am so advised by Chairman Pomerene.

(Signed) T. J. WALSH."

Upon request, Duffy was excused for the day.

Besancon: Move that the House now recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By McDermott: A Bill for an Act Entitled: "An Act to amend Chapter 102 of the Session Laws of the Twenty-Second Legislative Assembly, 1931, relating to contracts on public works; providing for preferential employment and rate of wages to be paid; providing for posting of notice of such wages in conspicuous place; providing for revocation of contract for failure to comply with provisions of this Act; providing for penalties for failure to enforce the provisions of this Act."

By Committee on Education: A Bill for an Act Entitled: "An Act to repeal Chapter 94 of the Session Laws of the Twenty-First Legislative Assembly of 1929 relating to the erection and operation of residence halls at state educational institutions."

By Stiefel: A Bill for an Act Entitled: "An Act relative to the payment of bonded indebtedness of school districts upon the creation of a new district."

By Goodwin: A Bill for an Act Entitled: "An Act to regulate the payment of wages or compensation of employees in private employment providing a penalty for the violation thereof and authorizing the commissioner of agriculture to enforce the provisions of this Act."

By Conner, Nass, Ralston, Miller of Big Horn, Stephens, Larsen, Trenne, Kruse, Byrne, Blankenbaker, Nutting, Harlen, Parker of Flathead, Love, Schuster, Acher, Jensen, Fowler, Campbell, Hilger: A Bill for an Act Entitled: "An Act to repeal Section 11 of Chapter 189 of the Twenty-Second Legislative Assembly relating to the sale of eggs."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 33, 45, 48 and 69, beg leave to report that the same have this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 72, A Bill for an Act Entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921, relating to salaries of justices of the peace," respectfully report and recommend that House Bill No. 72 be amended as follows:

In Section 1, line 9 of the original bill, by adding after the word "treasury" the following words: "provided that nothing hereinabove shall apply to townships in a county with a population of fifty thousand or above," and as so amended, that the bill do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 74, introduced by Committee on Insurance, A Bill for an Act Entitled: "An Act to amend Section 6199 of the Revised Codes of Montana of 1921, and amended by the Session Laws of 1931, relating to mutual insurance companies," respectfully report and recommend as follows: That House Bill No. 74 do pass.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Joint Memorial No. 2, introduced by Beadle, A Resolution memorializing the Congress of the United States, endorsing the passage and approval of the bill introduced by the Honorable Burton K. Wheeler, United States Senator from Montana, fixing the free and unlimited coinage of silver on a basis of sixteen ounces of silver to one ounce of gold, respectfully report and recommend as follows; that H. J. M. No. 2 do pass.

McDERMOTT, Chairman."

On motion of McDermott, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 51, A Bill for an Act Entitled: "An Act to amend Section 8933 of the Revised Codes of Montana of 1921 as amended by Chapter 36 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927 relating to the salaries and expenses of transportation and living of court stenographers when on official business in other counties than the one in which they reside," respectfully report and recommend as follows: That House Bill No. 51 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 60, a Bill for an Act Entitled: "An Act permitting the mortgagor in a chattel mortgage or his successor in interest to redeem from a chattel mortgage foreclosure sale," respectfully report and recommend as follows: That House Bill No. 60 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 87, a Bill for an Act Entitled: "An Act to regulate the conduct of collection agencies and providing a penalty for the violation thereof," respectfully report and recommend as follows: That House Bill No. 87 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 52: A Bill for an Act Entitled: "An Act to fix the fiscal year of counties and cities for budget administrative purposes only, from January first to December thirty-first of each year instead of from July first of one year to June thirtieth of the following year as now provided; and to provide for an eighteen month budget for the period from July first, 1933, to December thirty-first, 1934, which is made necessary by this proposed change," respectfully report and recommend as follows: That House Bill No. 52 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 42, a Bill for an Act Entitled: "An Act to amend Section 9104 of the Revised Codes of Montana of 1921 relating to costs of trial as between counties in actions after change of place of trial and for reimbursement of such costs to counties by unsuccessful parties in such actions," respectfully report and recommend as follows: That House Bill No. 42 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

MOTIONS AND RESOLUTIONS

Fowler: Move to reconsider action of the House on House Resolution No. 3, taken yesterday. Seconded.

Upon request of Fowler, the resolution was read; also upon request of Fowler, a resolution passed by the Senate on yesterday was also read having to do with the same subject, namely, the calling of a conference by the Governor to consider the general financial conditions of the state and especially the question of unemployment. Motion defeated.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 96, introduced by Pilgeram and Givens: A Bill for an Act Entitled; "An Act to amend Section 5121 of the Revised Codes of Montana, 1921, as amended by Chapter 58, of the Laws of the Twentieth Legislative Assembly, relating to duties of trustees of the Fire Department Relief Association and to amend Section 5130 of the Revised Codes of Montana of 1921 as amended by Chapter 58 of the Laws of the Twentieth Legislative Assembly, and as further amended by Chapter 137, of the Laws of the Twenty- First Legislative Assembly relating to duties of the secretary and treasurer of Fire Department Relief Association; the official bond of the treasurer and the duties of the state examiner with reference to the examination of the books and accounts of such association, and prescribing qualifications for membership in such associations." Committee on Affairs of Cities.

H. B. No. 97, introduced by Byrne: A Bill for an Act Entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of Montana of 1921 relating to the statement of gross yield of mines net proceeds, the computation and taxation thereof; as amended by Chapter 191 of the Nineteenth Session, Chapters 139 and 140 of the Twentieth Session, and Chapter 133 of the Twenty-Second Session of the Legislative Assembly of the State of Montana." Committee on Revenue and Taxation.

THIRD READING OF BILLS

On motion by Roll, Senate Bill No. 11, introduced by Kane, was taken from third reading, and re-referred to the Committee on Horticulture.

Upon request, Groene was excused for tomorrow.

O'Shea was reported ill, and was excused until able to attend.

Besancon: Move the House adjourn until 9:30 tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-SEVENTH DAY

House of Representatives,
Helena, Montana, January 28, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following: Doran, Duffy, Groene (Fergus), Harrington, O'Shea, Pilgeram. All excused.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-Fifth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Beadle: A Bill for an Act Entitled: "An Act to provide for the payment by the State of Montana, to any association or individual, the cost of maintaining neglected or dependent children."

By Freed: A Bill for an Act Entitled: "An Act to amend Section 89 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, 1931, relating to pupils attending high school outside county of residence."

By Ragen: A Bill for an Act Entitled: "An Act to repeal Section 1999 of the Revised Codes of Montana of 1921 and to amend Section 2000 of the Revised Codes of Montana of 1921 relative to the classification of property for taxation and the value for the basis for imposition of taxes."

By Committee on Agriculture: A Bill for an Act Entitled: "An Act amending Sections 1, 2 and 7, of Chapter 124 Session Laws of the State of Montana of 1927 and providing for an additional section to said Act to be known as Section 7-A; relating to the duties of the State Scale Expert; providing for the enforcement of this Act; fixing fees to be collected for said inspections and providing for the transfer of all calibrating equipment from the office of the Secretary of State to the Scale Division of the Department of Agriculture."

By McCarvel: A Bill for an Act Entitled: "An Act to amend Section 443 of the Revised Codes of Montana, 1921, as amended by Chapter 86 of the Laws of the Twenty-Second Legislative Assembly of the State of Montana, 1931, relating to the limitation of traveling or other expenses of public officers or employees attending conventions or meetings and the payment of membership fees and dues."

By Committee on Affairs of Cities: A Bill for an Act Entitled: "An Act abolishing liability of cities and towns in the State of Montana on account of defects, holes, obstructions, or depressions in streets, sidewalks and public ways."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. No. 9; H. B. No. 50 and H. B. No. 39.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, a majority of your Committee on Public Safety, having had under consideration House Bill No. 10, introduced by Watson of Missoula, a Bill for an Act Entitled: "An Act prohibiting the sale,

furnishing, or giving to children under the age of sixteen years, of an fire arms, or ammunition, or permitting their use by such minors, ar to repeal Section 11565 and Section 11566 of the Revised Codes of Montana, 1921, and all Acts and parts of Acts in conflict herewith." Respect fully report and recommend as follows: That House Bill No. 10 do not pas

WHITE,
REARDEN (Cascade),
O'CONNELL,
TRENNE,
PARKER,
HILGER,
PIERSON, Chairman."

On motion by Pierson, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, January 27, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorab Body that the following House Bills were this day introduced in the Senat read first and second time, and referred to committees:

H. B. No. 8, Committee on Banks and Banking.
H. B. No. 13, Committee on Fish and Game.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move that further communication from the Senate be co sidered read at length and the Journal so show. Seconded and carried.

Helena, Montana, January 27, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorab Body that the following Senate Bills were this day introduced, read fir and second time, and referred to committees:

S. B. No. 67, by Kemmis: A Bill for an Act Entitled: "An A legalizing and validating any bonds issued or hereafter to be issued b any county of this state by authority of any election held in such count for the purpose of creating or increasing any county indebtedness whe such election was held and votes canvassed and the election declared carrie as authorized by law prior to the enactment of Chapter 188 of the Se sion Laws of 1931, and where no resolution was adopted by the Board o County Commissioners of such county directing the issuance of said bonc prior to the 5th day of October, 1932." Referred to Committee on Judic ary.

S. B. No. 68, by Rowland: A Bill for an Act Entitled: "An Act t amend Section 2410 of the Revised Codes of Montana of 1921, relating t the preparing and printing of licenses by the county clerk and the furnis ing of the same to the county treasurer, and repealing Sections 2411 ar 2412 of the Revised Codes of Montana of 1921 relating thereto." Referre to Committee on Counties and Towns.

S. B. No. 69, by Plumer: A Bill for an Act Entitled: "An Act rela ing to the sale and leasing of lands acquired by counties by tax deeds Referred to Committee on Judiciary.

S. B. No. 70, by Rowland: A Bill for an Act Entitled: "An Act t amend Section 3736 of the Revised Codes of the State of Montana of 192 relating to the fees for shipping permits." Referred to Committee on Fis and Game.

S. B. No. 71, by Walker: A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, to be stopped at all railway grade crossings before traversing such crossings." Referred to Committee on Roads and Highways.

S. B. No. 72, by Corwin: A Bill for an Act Entitled: "An Act regulating the business of warehousing or storing beans and requiring all persons engaged in that business to first procure a license and furnish a bond and prescribing penalties for the violation of the Act and prescribing the powers and duties of the Commissioner of Agriculture." Referred to Committee on Agriculture.

S. B. No. 73, by Campbell: A Bill for an Act Entitled: "An Act providing that the sale or removal from the State of Montana of personal property covered by a conditional sales contract or lease, without the consent of the vendor or lessor, or the concealment of said property within the state and refusal to deliver possession after default and demand of vendor or lessor shall constitute a felony, and prescribing the penalty therefor." Referred to Committee on Judiciary.

S. B. No. 74, by Page: A Bill for an Act Entitled: "An Act creating a wholesale distribution board to be under the supervision of the public service commission, providing for the assessments of wholesale grocery and commission houses, for maintenance of same and providing certain rules and regulations for control of said board and providing penalties for the violations of said rules and regulations, and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on State and County Economies.

Senate Joint Memorial No. 8, by Reed: A Memorial memorializing the President and Congress of the United States to support or initiate a movement to stabilize the monetary and credit basis, so as to improve world commodity prices." Referred to Committee on Mines and Mining.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 27, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Husband and Kelsey: A Bill for an Act Entitled: "An Act to amend Sections 2, 12, 13, 17, 19 and 20 of Chapter 109 of the Session Laws of the Twenty-Second Legislative Assembly of Montana, and the enactment of an additional section thereto, to be known as Section 24 of said Act, the same being an Act providing for the adoption of the managerial form of county government."

By Campbell and Willis: A Bill for an Act Entitled: "An Act to amend Section 6 of Chapter 109, laws of the Twentieth Legislative Assembly of 1927, as amended by Section 1, Chapter 192, of the laws of the Twenty-Second Legislative Assembly of 1931, relating to the standards of gasoline sold in Montana."

By Kaulbach: A Bill for an Act Entitled: "An Act amending Section 2479 of the Revised Statutes of the State of Montana 1921, relative to duty of physicians."

By Coburn: A Bill for an Act Entitled: "An Act providing for the transfer of a guardianship proceeding from one county to another county and the procedure thereon."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 27, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Judiciary: That S. B. No. 2 do not pass, report adopted.

Committee on Judiciary: That S. B. No. 7 do not pass. Substitute motion to print and place on General File adopted.

Committee on Counties and Towns: That S. B. No. 8 be amended by striking out all of Section 4 after the word "years," on line 17 of the original bill, and the following inserted in lieu thereof: "And when bonds are issued for the purpose of funding warrants or refunding bonds heretofore issued, as authorized by Section 1 of this Act, such bonds shall not be issued for a longer term than fifteen (15) years. All bonds issued for a longer term than five (5) years may be redeemable at the option of the city or town at any time before maturity when so recited in the bonds. The maximum rate of interest which any bonds may bear shall be six (6) per centum and shall be payable semi-annually." And as so amended that bill do pass, report adopted.

Committee on Judiciary: That S. B. No. 48 do not pass, report adopted.

Committee on Judiciary: Majority report that S. B. No. 10 do not pass; minority report that S. B. No. 10 do pass. As substitute motion, bill ordered printed and placed on General File, motion adopted.

Committee on State and County Economies: Minority report that bill do pass. Majority report that bill do not pass. On motion, majority report adopted.

Committee on Counties and Towns; That S. B. No. 26 do pass, report adopted.

Committee on Judiciary: That S. B. No. 44, by Husband, be amended by adding after the word, "office," in line 23, page 1, the words: "Out of the contingent fund of the county," and by striking from said bill beginning on line 23 on page 1 the words: "Provided, that all appointments of probation officers paid out of the contingent fund of the county as herein provided shall be made on the basis of merit only, determined by a public competitive examination, held by three examiners, who shall be appointed by the court," and by striking from said bill beginning on line 1 of page 2 the words: "The examiners shall conduct the examination of all applicants and shall certify to the court, for appointment to each position, the names of the three highest (unless the number of applicants is less than three) from which the appointment shall be made, as provided in this Act," and as so amended, recommend the bill do pass, report adopted.

Committee on Judiciary: That S. B. No. 59 do not pass, report adopted.

Committee on State and County Economies: That S. B. No. 65 do pass, report adopted.

Committee on State and County Economies: That S. B. No. 66 do pass, report adopted.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Besancon: At the request of the opponents of House Bill No. 33, move that that bill be taken from the top and placed at the bottom of General Orders. Seconded.

Somerville: Move as a substitute motion that House Bill No. 33 be taken from General Orders and re-referred to the Committee on Public Safety. Seconded. Carried.

By request, O'Shea, Doran and Pilgeram are excused for the day.

Breitenstein: The Committee on Highways desires additional time for consideration of House Bill No. 37.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were this day introduced, read first and second times and referred to committees:

H. B. No. 98, introduced by Committee on Appropriations: A Bill for an Act Entitled: "An Act to appropriate money for the payment of the claim of Ford E. Hovey and Matt H. Tschirgi, as executors of the last will and testament of Frank M. Heinrich, deceased, for the repayment of excess inheritance tax paid by the said executors." Committee on Appropriations.

H. B. No. 99, introduced by McDermott: A Bill for an Act Entitled: "An Act to amend Chapter 102 of the Session Laws of the Twenty-Second Legislative Assembly, 1931, relating to contracts on public works; providing for preferential employment and rate of wages to be paid; providing for posting of notice of such wages in conspicuous place; providing for revocation of contract for failure to comply with provisions of this Act; providing for penalties for failure to enforce the provisions of this Act." Committee on Labor.

H. B. No. 100, introduced by Hagerty: A Bill for an Act Entitled: "An Act providing for the appointment of special railroad police officers, prescribing their qualifications, powers and duties, compensation, term of office, and issuance of commissions thereto, and providing for the disposition of persons arrested by them." Committee on Railroads and Transportation.

H. B. No. 101, introduced by Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1012 of the Revised Codes of Montana of 1921, relating to the authority of school districts to issue warrants before school moneys are collected; and making valid and legal all warrants heretofore issued in conformity therewith." Committee on Education.

H. B. No. 102, introduced by Committee on Education: A Bill for an Act Entitled: "An Act amending Section 1204 of the Revised Codes of Montana, 1921, relating to the apportionment of common school funds." Committee on Education.

H. B. No. 103, introduced by Haight, a Bill for an Act Entitled: "An Act to repeal Section 976 of the Revised Codes of Montana of 1921 relating to the publication of annual financial statements of school districts by County Superintendents of Schools." Committee on Education.

H. B. No. 104, introduced by Committee on Education: A Bill for an Act Entitled "An Act to repeal Chapter 94 of the Session Laws of the Twenty-First Legislative Assembly of 1929 relating to the erection and operation of residence halls at state educational institutions." Committee on Education.

THIRD READING OF HOUSE BILL

House Bill No. 9, introduced by Replogle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Ecton, Fitzstephens, Fowler, Freed, Givens, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Logan, Love, Manning, Marshall, Miles, Miller, Miller (Lincoln), Moss, Nutting, Parker

(Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Ralston, Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Whaley, Woodcock, Mr. Speaker. Total 62.

Noes: Annin, Arnold, Balgord, Beadle, Campbell, Doe, Ferry, Freudenstein, Goodwin, Grabow, Jensen, Larsen, Lott, McCarvel, McDermott, McElwain, Mason, Metlen, Mulholland, Nelstead, O'Connell, Ragen, Reardon (Deer Lodge), Roll, Stephens (McCone), Sullivan, Watson (Missoula), Wigal. Total 28.

Absent and not voting: Doran, Duffy, Findlater, Groene (Fergus), Harrington, Nass, O'Shea, Pilgeram, Rearden, (Cascade), Waite, White. Total 11.

The Speaker: Sixty-two have voted "aye," 28 have voted "no"; House Bill No. 9 has passed the House.

House Bill No. 50, introduced by Committee on Privileges and Elections, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjerneby, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Doran, Duffy, Groene (Fergus), Harrington, Metlen, Nass, O'Shea, Pilgeram, Quamme, Ralston, Shannon, Somerville, Strange, Waite. Total 14.

The Speaker: Eight-Seven have voted "aye," none have voted "no," House Bill No. 50 has passed the House.

House Bill No. 39; introduced by Marshall, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Annin, Doran, Duffy, Findlater, Fitzstephens, Freed, Groene (Fergus), Harrington, Metlen, O'Shea, Pilgeram, Quamme, Rognlien, Shannon, Waite. Total 15.

The Speaker: Eighty-eight have voted "aye," none have voted "no," House Bill No. 39 has passed the House.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders.

Rognlien in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills No. 69, 48, 45, 35 and 44 respectfully report and recommend as follows:

That House Bill No. 69 do pass.

That House Bill No. 48 do pass.

That House Bill No. 45 do pass.

That House Bill No. 35 do pass.

That House Bill No. 44 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 35 and House Bill No. 44, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 73, introduced by Jensen, a Bill for an Act Entitled: "An Act to amend Section 1759 of the Revised Codes of Montana of 1921, as amended by Chapter 113 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 181 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, relating to registration and re-registration of motor vehicles, providing for application for registration and time for making application, assessment and payment of taxes on motor vehicles prior to registration, issuance and assignment of number plates and exhibition thereof, distribution of taxes and license fees collected, application for dealer's license, replacement of number plates, exemption of non-resident owners; prescribing the duties of Registrar of Motor Vehicles and County assessors and county treasurers; to amend Section 1757 of the Revised Codes of Montana of 1921, relating to number plates of motor vehicles, prescribing the specifications thereof and providing for assignment of index numbers to counties of state; to amend Section 2002 of the Revised Codes of Montana of 1921, providing when assessment of property shall be made, when and how credits must be assessed, and when motor vehicles shall be assessed; to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, as amended by Chapter 79 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 37 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, providing for the payment of general taxes; special improvement assessments, and taxes on motor vehicles; and repealing all Acts and parts of Acts in conflict with the proposed Act." Respectfully report and recommend as follows: That said bill be amended as follows:

1. By inserting the following between the words "re-registration" and "executed," line 16, page 2; "upon blank form to be prepared and furnished by the Registrar of Motor Vehicles."

2. By adding the following after the word "registration" in line 8, page 3; "unless said taxes are a lien upon real property of said taxpayer."

3. By inserting the following between the words "paid" and "such" in line 15, page 3; "or that said taxes are a lien upon real property of the taxpayer."

"4. By substituting the "triplicate" for the word "quadruplicate" in line 26, page 3.

5. By striking out the words "fourth copy of said receipt and" in line 29, page 3.

6. By adding the following at the end of sub-section 4 on page 4 after the word "thereto"; "providing, however, that the County Treasurer shall retain ten per cent of all license fees in said motor vehicles suspense fund until he has been billed by the Registrar as aforesaid and notified by the Registrar that any balance may be transferred to the Road Fund."

7. By striking out clause beginning with the word "and," line 3, page 7 and ending with the word "issued," line 5, page 7, and inserting in lieu thereof, the following; "and the word Montana with the year shall be placed across the bottom of the plate."

8. By striking out the words "this part of"; line 5 and 6, page 7.

9. By striking out the words "to the right of these and covering the body," and inserting in lieu, thereof, "on the left end," in line 8, page 7.

10. By substituting the word "left" for the word "right"; in line 26, page 7.

11. By inserting the following between the words "cities" and "shall" in line 14, page 9, "and except taxes levied and assessed upon motor vehicles."

12. By adding the following after the words "November 30," in line 12, page 10; "unless the owner of said motor vehicle also own real property, in which event the taxes assessed against said motor vehicle shall also be a lien against said real property from the date of assessment and shall be collected at the time and in the manner hereinabove provided for the collection of other general taxes."

13. By inserting the following after the word "paid" in line 16, page 10; "or constitute a lien against the owner's real property."

14. By striking out the words "duplicate receipt and," in line 18, on page 10.

15. By inserting the following after the word "given" in line 21, page 21, page; "or as a lien against the real property of said taxpayer."

16. By striking out clause beginning with the word "and" in line 25, page 10, and ending with the word "county" in line 28, page 10, and that as so amended the Bill do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, a minority of your Committee on Economy, having had under consideration Senate Bill No. 23. A Bill for an Act Entitled: "An Act to amend Section 74 of the Revised Codes of the State of Montana relating to mileage and per diem of members of the Senate and House of Representatives," respectfully report and recommend that Senate Bill No. 23 be not concurred in.

WATSON (Meagher),
CHAPMAN,
FREUDENSTEIN,
PILGERAM,
NUTTING,
PARKER."

"Mr. Speaker: We, your majority Committee on Economy, having had under consideration Senate Bill No. 23. A Bill for an Act Entitled: "An Act to amend Section 74 of the Revised Codes of the State of Montana relating to mileage and per diem of members of the Senate and the House of Representatives," respectfully report and recommend that Senate Bill No. 23 be concurred in.

HAIGHT,
FREED,
BLANKENBAKER,
CONNER,
HILGER,
KNOWLES,
STRANGE,
SETZER."

Haight: Move the adoption of the majority report. Seconded.

Watson of Meagher: As a substitute motion, move the adoption of the minority report. Seconded.

On demand of two members, a roll call was had and the minority report was adopted, 50 voting "aye," 44 voting "no." Seven absent.

The Speaker: The House will take notice that the Speaker is about to sign Senate Joint Memorial No. 1. The Speaker thereupon signed the same.

Beadle, Mulholland and Blankenbaker excused for the day.

Besancon: Move the House now recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

House resumed, pursuant to recess.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Holecek: A Bill for an Act Entitled: "An Act to amend Section 3779, 3782, and 3783 of the Revised Codes of the State of Montana of 1921, and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the state board of equalization of the State of Montana."

By Rognien: A Bill for an Act Entitled: "An Act Legalizing and validating tax deeds heretofore issued notwithstanding any error in the form, substance or amounts stated in notice of application for tax deed unless the amount actually due for taxes, interest and penalty has been tendered to the holder of the tax deed or County Treasurer before the approval of this Act."

By Abrahamson: A Bill for an Act Entitled: "An Act to amend Section 2899 of the Revised Codes of Montana, 1921, relating to workmen's compensation."

By Abrahamson: A Bill for an Act Entitled: "An Act to amend Section 2918 of the Revised Codes of Montana, 1921, as amended by the Session Laws of 1929 relating to workmen's compensation."

By Committee on Education: House Joint Resolution entitled: "A resolution concerning the Laws for the rural and elementary schools in the State of Montana and asking for a survey commission to be appointed by the State Board of Education."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 19, 54, 83 and 85, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: "We, your Committee on Fish and Game, having had under consideration House Bill No. 34, introduced by Holecek. A Bill for an Act Entitled: "An Act to amend Section 3697 of the Revised Code of Montana, 1921, as amended by Chapter 192 of the Laws of the Nineteenth Legislative Assembly of the State of Montana, 1925, Chapter 5 of the Laws of the Twentieth Legislative Assembly of the State of Montana, 1927, and again amended by Chapter 152 of the Laws of the Twenty Second Legislative Assembly of the State of Montana, 1931, relating to open season for deer, and providing penalties for the violation thereof, respectfully report and recommend as follows: That House Bill No. 3 be amended as follows: In line 4 on page 3 after the word "Sanders and before the word "and" insert the word "Missoula" and that as amended the Bill do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 78, introduced by Moss. A Bill for an Act Entitled: "An Act amending Chapter 121 of the Session Laws of the Twenty-First Legislative Assembly, Entitled: "An Act providing for the registration and licensing of motor vehicles of non-resident owners and providing for registration cards and identification thereof," respectfully report and recommend as follows: That House Bill No. 78 do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 58, introduced by Groene. A Bill for an Act Entitled: "An Act providing for the registration and licensing of motor vehicles of non-resident owners, providing for registration cards and identification thereof and for licenses in certain cases, providing for registration offices, and repealing Chapter 121 of the Twenty-First Legislative Assembly of the State of Montana and all Laws and parts of Laws in conflict herewith," respectfully report and recommend as follows: That House Bill No. 58 do not pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration Senate Bill No. 11, introduced by Kane. A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 139, Laws of the Twenty Second Legislative Assembly of 1931, relating to fixing the standard grade of apples," respectfully report and recommend as follows: That Senate Bill No. 11 be concurred in and be referred to third reading.

PORTER, Chairman."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 77, introduced by Nelstead. A Bill for an Act Entitled: "An Act to amend Section 1755 of the Revised Codes of Montana of 1921 as amended by Chapter 177 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925,

amended by Chapter 129 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, as amended by Chapter 181 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, to amend Section 1758 of the Revised Codes of Montana of 1921, all relating to registration and re-registration of motor vehicles, trailers and semi-trailers, motor and accessories dealers and operators and chauffeurs, prescribing the duties of the Registrar of Motor Vehicles and records to be kept, providing for issuance of certificates of registration and ownership and containers therefor; defining the terms 'owner' and 'legal owner'; providing for renewal of registration, transfer of title or interest in motor vehicles and issuance of new certificates of registration and ownership, for filing of chattel mortgages and conditional sales contracts with registrar of motor vehicles, registration of holder as legal owner and the same being constructive notice of said mortgage or conditional sales contract; fees for certificates and transfers of title; duplicate certificates, and chauffeur's badge," respectfully report and recommend as follows: That said Bill be amended as follows:

1. By striking out the words "clerks and recorders, assessors"; in line 23 of page 3.

2. By striking out clause beginning with the word "and" in line 2 of page 4 and ending with word "registration," line 4 and page 4.

3. By adding sub-section (e) following sub-section (d) on page 9, to read as follows: "In the event any conditional sales vendor or assignee or chattel mortgagee or assignee fails to surrender certificate of ownership to the owner of motor vehicle within ten days after receiving final payment on conditional sales contract or mortgage, he shall be required to pay said owner the sum of ten dollars and the further sum of one dollar for each and every day thereafter that he fails to surrender said certificate of ownership."

4. That the following be inserted between the words "that" and "all" in line 18 of page 10, "Acts 2, 3, 4, 5, 6, 7, 8 and 9 of Chapter 113 of the Session Laws of 1925, and" that as so amended, the Bill do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 90. A Bill for an Act Entitled: "An Act to amend Section 4884 of the Revised Codes of Montana, 1921, relating to mileage of all officers; and to amend Section 958 of the Revised Codes of Montana, 1921, relating to mileage of school trustees; and to amend Chapter 80 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana relating to the charge to be allowed to any state or county officer for the use of automobile when necessarily used in the performance of his official duty; and to amend Section 8 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly relating to compensation of members of boards of trustees of county high schools," respectfully report and recommend as follows: That House Bill No. 90 do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 31, introduced by Stiefel. A Bill for an Act Entitled: "An Act to amend Section 44 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of Montana relating to district high schools, rent of quarters and transportation of high school pupils and authorizing a tax levy therefor," respectfully report and recommend as follows: That House Bill No. 31 be amended as follows: By

inserting after the word "limits" in line 16 on page 2, the following words and figures: "Provided further that contracts for transportation entered into between July 1, 1931, and the date of approval of this Act, by any district, are hereby validated and the trustees are authorized to issue warrants in payment of same," and that as so amended, the Bill do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration, House Bill No. 41. A Bill for an Act Entitled: "An Act to amend Section 8290 of the Revised Codes of the State of Montana of 1921 relating to mortgages on growing crops and the lien thereof," respectfully report and recommend as follows: That House Bill No. 41 do pass

SNIDOW, Chairman."

On motion by Snidow, report adopted.

The Committee on State Boards and Officers was granted additional time for the consideration of House Bill No. 29.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was this day introduced, read first and second times and referred to Committee:

H. B. No. 104, introduced by Committee on Education: A Bill for an Act Entitled: "An Act to repeal Chapter 94 of the Session Laws of the Twenty-First Legislative Assembly of 1929 relating to the erection and operation of residence halls at state educational institutions."

COMMITTEE ON EDUCATION."

THIRD READING OF SENATE BILLS

S. B. No. 11, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Replogle. Total 1.

Absent and not voting: Annin, Beadle, Doran, Duffy, Goodwin, Groene (Fergus), Harrington, McElwain, Metlen, Mulholland, O'Shea, Pilgeram, Roll, Shannon. Total 14.

The Speaker: Eighty-Six have voted "aye," 1 has voted "no"; Senate Bill No. 11 has been concurred in by the House.

Besancon: Move the House now adjourn until 1:30 p. m. Monday, January 30th. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

TWENTY-NINTH DAY

House of Representatives,
Helena, Montana, January 30, 1933.

House convened, pursuant to adjournment, at 1:30 p. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present, except Fitzstephens, excused.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-Sixth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Blackfoot Forest Protective Association, Bonner, Montana, on account of fire suppression during the year 1931."

By Pilgeram: B Bill for an Act Entitled: "An Act to amend Section 3545 of the Revised Codes of Montana of 1921, relating to penalties for violation of the coal mining laws of the State of Montana."

By Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Northern Montana Forestry Association, Kalispell, Montana, on account of fire suppression during the year 1931."

By Balgord: A Bill for an Act Entitled: "An Act to amend Chapter 148 of the Session Laws of the Twenty-First Legislative Assembly of Montana, commonly called "the county budget Act" by adding thereto an additional section providing the transfer of money from any fund for use for relief in case an emergency is declared by the Governor.

By Porter, Watson of Missoula, Roll, Wigal, Jensen and Strange: A Bill for an Act Entitled: "An Act defining, licensing and regulating dealers at wholesale as herein defined; defining the words "produce," "person," and "commissioner"; outlining the procedure to obtain a license; providing for the date of expiration of licenses, the amount, and posting thereof; fixing the amount of bonds and defining the conditions thereof; providing for filing of commission schedules, the keeping of records and the report to shippers by dealers; providing for appeals from actions of the commissioner and how appeals may be taken; providing for handling money received from license fees; imposing certain duties and conferring certain powers upon the Commissioner of Agriculture and prescribing penalties for violation of this Act."

By Moss and Breitenstein: A Bill for an Act Entitled: "An Act relating to the licensing of motor vehicle operators, prescribing what operators must be licensed, what persons shall not be licensed, providing for an examination of applicants, suspension and revocation of license and penalties for driving without license."

By Besancon: A Bill for an Act Entitled: "An Act relating to the letting of contracts for public works, and providing for the purchasing of materials and supplies manufactured or produced in Montana to be used in public works and providing for the giving of a differential of five per cent to persons, corporations or concerns who manufacture or produce such materials and supplies in the State of Montana."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 46, 47, 69, 35, 44 and 44.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 72, 74, 87 and H. J. M. No. 2, beg leave to report that same have this day been returned from the printer correctly printed

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 104: A Bill for an Act Entitled: "An Act to repeal Chapter 94 of the Session Laws of the Twenty-First Legislative Assembly of 1929, relating to the erection and operation of residence hall at state educational institutions," respectfully report and recommend as follows: That House Bill No. 104 do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 88: A Bill for an Act Entitled: "An Act authorizing boards of trustees of school districts to issue warrants, for the maintenance of the schools of the districts during the school year ending June 30, 1933, in excess of the amount of taxes levied by such school districts and in excess of the available funds which will accrue to such school districts during such school year; validating all warrants issued by school districts, whether issued in excess of the amount of taxes levied or otherwise, and outstanding and unpaid at the close of the school year ending June 30, 1933; and authorizing boards of trustees of school districts to levy special taxes for the payment of all warrants outstanding and unpaid at the close of the school year ending June 30, 1933, or to issue funding bonds and fund the same," respectfully report and recommend as follows: That House Bill No. 88 do pass.

FREED, Chairman.

On motion by Freed, report adopted.

Mr. Speaker: We, your Committee on Petroleum Oil and Gas, having had under consideration House Bill No. 62. A Bill for an Act Entitled: "An Act to license gasoline dealers engaged in business in the State of Montana; requiring such dealers to file with the State Board of Equalization a bond conditioned for the payment of gasoline license taxes; providing for revocation of licenses, defining the term 'gasoline dealer' and making violations of the provisions of this Act a misdemeanor," respectfully report and recommend as follows: That House Bill No. 62 be amended as follows: Strike out in line 15, after the word "sale," the word "or"; strike out in line 16 the first word "use"; on page 2, line 4, after the word "sale," strike out the comma and the words "or use" and insert between the word "sell" and the word "offer" the word "or"; in Section 4 line 22, after the word "sale" strike out the words "or use gasoline" and insert after the word "state" and word "gasoline," and that as so amended, the bill do pass.

WOODCOCK, Chairman."

On motion by Woodcock, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 4. A Bill for an Act Entitled: "An Act requiring licenses for the operation, maintenance, opening or es

abishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof." Respectfully report and recommend as follows: That House Bill No. 4 be amended as follows: In Section 5 line 26 by striking out after the word "seventh" the words "and eighth stores" and inserting in lieu thereof the following "to the twentieth stores, both inclusive," and striking out lines 28 and 29, being all of paragraph 5, and renumbering paragraph "6" to read paragraph "5", and in line 30 after the words "excess of" by striking out the word "ten" and inserting in lieu thereof the word "twenty," amend Section 8 by striking out the period after the word "wholesale" in line 18 and adding thereafter the words "and doing an annual gross business of two thousand dollars."; and that the same as amended do pass.

ROGNLIEN, Chairman."

On motion of Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 27, by Watson of Meagher. A Bill for an Act Entitled: "An Act to amend Section 13 of Chapter 146 of the Session Laws of the Twenty-Second Legislative Assembly of Montana, 1931," respectfully report and recommend as follows: That House Bill No. 27 do not pass, but that Substitute House Bill No. 27, introduced by Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 13 of Chapter 146 of the Session Laws of the Twenty-Second Legislative Assembly of Montana, 1931, relating to consideration of budgets," do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 100: A Bill for an Act Entitled: "An Act providing for the appointment of special railroad police officers, prescribing their qualifications, powers and duties, compensation, term of office, and issuance of commissions thereto, and providing for the disposition of persons arrested by them," respectfully report and recommend as follows: That House Bill No. 100 do pass.

HAGERTY, Chairman."

On motion by Hagerty, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that messages from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 16, by Committee on Appropriations, was this day read three several times and concurred in, as amended by Committee on Finance and Claims, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments. Senate Committee on Finance and Claims, amendment to H. B. No. 16, by Committee on Appropriations: Amend by adding a new Section to be known as Section 5: "Section 5. Appropriations herein above provided for shall be deemed and held valid notwithstanding the provisions of the Budget Act."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 7 by Besancon, was this day read three several times and concurred in, as amended by Committee on Banks and Banking, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments. Senate Committee on Banks and Banking, amendments to H. B. No. 7 by Besancon: Amend in the tenth line of the paragraph which begins with Section 16 by adding the word, "all" after the word, "designate." Amend in the eleventh line by adding the word, "so," between the word, "be," and the word "bonded"; amend in line 11 by striking out the period (.) after the word, "given," and inserting the words, "by each"; amend in line 11 by placing the period after the word "each" instead of after the word, "given."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and are herewith returned to the House:

H. B. No. 14, by Committee on Appropriations.

H. J. M. No. 1, by Ralston.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 35, by Willis.

S. J. M. No. 4, by Ekegren.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 23, was this day introduced in the Senate, read first and second time, and referred to Committee on Taxation.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Judiciary this day, having had under consideration S. B. No. 21, by Holton and Ruffcorn, respectfully report that said bill be amended as follows:

Amend in Section 1, original bill, by striking out in lines 17 and 18 the word, "may," and the words: "within three years after the time for redemption expires," and inserting after the word, "time," in line 17 the words: "thereafter deemed proper may."

Also amend Section 1 by adding at the end of Section 1 the following: "Provided, however, that the Board of County Commissioners, city or town council or commission, cannot be compelled to order and direct the county clerk, city or town clerk, to apply to the county, city or town

reasurer, as the case may be, for the issuance of a tax deed within three years after the time for redemption has expired, unless the Board of County Commissioners, city or town council or commission deems it proper to do." And as so amended, recommend that the Bill do pass, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That S. J. M. No. 2 do pass.

That consideration of S. B. No. 33 be passed for the day.

That action on S. B. No. 14 be indefinitely postponed.

That consideration of S. B. No. 19 be passed for the day.

That action on S. B. No. 34 be indefinitely postponed.

That consideration of S. B. No. 25 be passed for the day.

That consideration of S. B. No. 28 be passed for the day.

That S. B. No. 50 do pass.

That S. B. No. 53 be amended in Section 1 by striking out the words in line 9 of the printed bill, "provided the," all of line 10, and the words, "similar deputies or assistants," in line 11, and as so amended, recommend same do pass.

That consideration of Substitute for S. B. No. 20 be passed for the day.

That Substitute for H. B. No. 15 be concurred in.

That consideration of H. B. No. 5 be passed for the day.

That H. B. No. 21 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day introduced, read first and second time, and referred to Committees:

S. B. No. 75, by Husband, Kelsey and Burr: A Bill for an Act Entitled: "An Act to amend Sections two (2), twelve (12), thirteen (13), seventeen (17), nineteen (19), and twenty (20) of Chapter one hundred line (109) of the Session Laws of the Twenty-Second Legislative Assembly of Montana, and the enactment of an additional section thereto to be known as Section Twenty-Four (24) of said Act, the same being an Act providing for the managerial form of county government." Referred to Committee on Counties and Towns.

S. B. No. 76, by Kaulbach: A Bill for an Act Entitled: "An Act to amend Section 2479 of the Revised Codes of the State of Montana of 1921, providing for the reporting of certain diseases by physicians and other practitioners." Referred to Committee on Sanitary Affairs.

S. B. No. 77, by Coburn: A Bill for an Act Entitled: "An Act providing for the transfer of a guardianship proceeding from one county to another county and the procedure thereon." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Simmons: A Bill for an Act Entitled: "An Act to amend Section 5792 of the Revised Codes of Montana, 1921, relating to separate property of wife."

By Corwin: A Bill for an Act Entitled: "An Act to provide funds for the maintenance of a lighting system in rural improvement districts."

By Kane: A Bill for an Act Entitled: "An Act describing the method of fixing valuation of all public utility property for taxation purposes."

By Kane: A Bill for an Act Entitled: "An Act to amend Section 6 of Chapter 89 of the Montana Session Laws of 1925 relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase land sold for delinquent taxes; to purchase and take assignments or certificates of tax sales to said lands; to take title to land so sold for taxes and to purchase such lands in the county when tax deed therefor have issued to the county; and to manage, operate, lease sell and dispose of the same for the use and benefit of the district or such terms as may seem for the best interest of such district; to commence, maintain and prosecute suits to quiet title as to the land so purchased."

By Campbell: A Bill for an Act Entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, as amended by Chapter 18 of the Acts of the Nineteenth Legislative Assembly and Chapter 113 of the Acts of the Twentieth Legislative Assembly of the State of Montana; relating to taxes on personal property and the lien thereof."

By Willis and MacGillvra: A Bill for an Act Entitled: "An Act to amend Section 9035 of the Revised Codes of Montana, 1921, relating to actions which must be begun within six months and regulating the time within which an action for restoration to office by any person having been wrongfully or illegally removed or excluded from office, and regulating the time within which an action should be begun to recover salary or other emoluments of such office, and repealing Section 9038 and Section 9039 of the Revised Codes of Montana, 1921."

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Shannon: Move that House Bill No. 83 be re-referred to the Committee on Appropriations. Seconded. Carried.

Besancon: Move the Committee on Apportionment and Representation be granted more time for the consideration of House Bill No. 64. Without objection, requests granted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills and Memorials were this day introduced, read first and second times, and referred to committees.

S. J. M. No. 4, introduced by Ekegren: A Memorial memorializing the Congress of the United States for a more lenient settlement of the 1932 federal seed loans." Committee on Federal Relations.

S. B. No. 35, introduced by Willis: A Bill for an Act Entitled: "An Act to amend Section 4524 of Chapter 12 of the Revised Codes of Montana of 1921, relating to "when a person may receive relief from the county," and repealing all Acts and parts of Acts in conflict herewith." Committee on Townships and Counties.

H. J. M. No. 3, introduced by O'Connell, Freudenstein and Beadle: A Memorial to the Congress of the United States of America, requesting the enactment of an adequate unemployment insurance law." Committee on Labor.

H. B. No. 105, introduced by Holecek: A Bill for an Act Entitled: "An Act to amend Sections 3779, 3782, and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing that the duties of said board shall be performed by the State Board of Equalization of the State of Montana." Committee on State Boards and Officers.

H. B. No. 106, introduced by Ragen: A Bill for an Act Entitled: "An Act to repeal Section 1999 of the Revised Codes of Montana of 1921 and to amend Section 2000 of the Revised Codes of Montana of 1921 relative to the classification of property for taxation and the value for the basis for imposition of taxes." Committee on Revenue and Taxation.

H. B. No. 107, introduced by Committee on Agriculture: A Bill for an Act Entitled: "An Act amending Sections 1, 2 and 7 of Chapter 124 Session Laws of the State of Montana of 1927 and providing for an additional section to said Act to be known as Section 7-A; relating to the duties of the state scale expert; providing for the enforcement of this Act; fixing fees to be collected for said inspections and providing for the transfer of all calibrating equipment from the office of the Secretary of State to the scale division of the Department of Agriculture." Committee on Agriculture.

H. B. No. 108, introduced by Abrahamson: A Bill for an Act Entitled: "An Act to amend Section 2918 of the Revised Codes of the State of Montana of 1921, as amended by the Session Laws of 1929, relating to workmen's compensation." Committee on Workmen's Compensation.

H. B. No. 109, introduced by Roll: A Bill for an Act Entitled: "An Act regarding the organization, management, control and discipline of the water departments in cities having a population of twenty-eight thousand or more, which own and operate a plant for the supply of water to their inhabitants; establishing a basis for determining the population of such cities; prescribing the powers of the mayor, council and city surveyor, city engineer, or other head of the engineering department, in reference to such water department; dividing the service in such department into unclassified and classified service and specifying such classes; prescribing the qualifications of members in the classified service, their term, the method of their appointment, trials for misconduct or malfeasance in the classified service, and suspension or discharge and to provide for a water department examining and trial board to examine all applicants for the classified service in the water department, and to try and determine all charges against those engaged in such service; prescribing the method of review of the decisions and sentences of such board; defining the eligible list in the classified service and providing for promotions and filling of vacancies in such service; and otherwise relating to matters connected with the classified service in the water departments of such cities." Committee on Public Health and Sanitary Affairs.

H. B. No. 110, introduced by Abrahamson: A Bill for an Act Entitled: "An Act to amend Section 2899 of the Revised Codes of the State of Montana of 1921, relating to workmen's compensation." Committee on Workmen's Compensation.

The following bill was this day introduced, read first and second times at length, and referred to committee.

H. B. No. 111, introduced by Stephens of McCone, Daugherty, O'Shea, White, Freed, Doe, Chapman, Snidow, Whaley, Pilgeram, O'Connell, Spangler, Nass, Ballard: A Bill for an Act Entitled: "An Act authorizing the

state to engage in the purchase of crude oil and the purchase and sale of gasoline, oils and lubricants; to construct, purchase or lease and operate oil refineries; providing the manner in which said business shall be initiated and conducted, and making an appropriation for the purpose of carrying out the provisions of the Act." Committee on Appropriations.

H. B. No. 112, introduced by Stiefel: A Bill for an Act Entitled: "An Act relative to the payment of bonded indebtedness of school districts upon the creation of a new district." Committee on Education.

H. B. No. 113, introduced by Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act relating to the sale of cigarettes, and cigarette papers and wrappers and papers used and prepared for the making of cigarettes; providing for issuing licenses for the privilege of engaging in the business of the sale thereof and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof and penalty for violation of this Act and defining the duties of state and county officials." Committee on Revenue and Taxation.

H. B. No. 114, introduced by Rognlien: A Bill for an Act Entitled: "An Act legalizing and validating tax deeds heretofore issued notwithstanding any error in the form, substance or amounts stated in notice of application for tax deed unless the amount actually due for taxes, interest and penalty has been tendered to the holder of the tax deed or county treasurer before the approval of this Act." Committee on Revenue and Taxation.

H. B. No. 115, introduced by Kruse and O'Shea: A Bill for an Act Entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by any competing form of transportation service; and to prohibit the control of both competing forms of transportation by any railroad company, and prescribing a penalty for violation of this Act." Committee on Railroads and Transportation.

THIRD READING OF HOUSE BILLS

Besancon: Move that all Bills, other than Appropriations Bills, be read by title and section number only. Motion carried.

H. B. No. 46, introduced by Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breintenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes: Goodwin, McDermott. Total 2.

Absent and not voting: Fitzstephens, Fowler, Freed, Groene (Fergus), Pierson, Roll, Shannon, Sullivan. Total 8.

The Speaker: Ninety-One have voted "aye", 2 have voted "no," House Bill No. 46 has passed the House.

House Bill No. 47, introduced by Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Sullivan, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 84.

Noes: Ballard, Daugherty, Goodwin, Haight, Knowles, Miller (Big Horn), O'Shea, Replogle, Stevens (Wheatland), Strange, Trenne, White, Woodcock. Total 13.

Absent and not voting: Arnold, Fitzstephens, Pierson, Roll. Total 4.

The Speaker: Eighty-four have voted "aye," 13 have voted "no," House Bill No. 47 has passed the House.

House Bill No. 69, introduced by the Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Duffy, Ecton, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene, Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Ueland, Waite, Watson (Meagher), Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: Abrahamson, Beadle, Daugherty, Ferry, Harrington, Kruse, Kuhl, Larsen, O'Connell, O'Shea, Pilgeram, Porter, Quamme, Rearden (Cascade), Snidow, Strange, Sullivan, Trenne, Whaley, White. Total 20.

Absent and not voting: Fitzstephens, Metlen, Pierson, Roll, Shannon. Total 5.

The Speaker: Seventy-six have voted "aye", 20 have voted "no"; House Bill No. 69 has passed the House.

House Bill No. 35, introduced by Ballard, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 90.

Noes: Conner, Givens, Rearden (Cascade), White. Total 4.

Absent and not voting: Fitzstephens, Logan, Metlen, Pierson, Roll, Shannon, Sullivan. Total 7.

The Speaker: Ninety have voted "aye", 4 have voted "no"; House Bill No. 35 has passed the House.

House Bill No. 45, introduced by Freudenstein, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Freudestein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: White. Total 1.

Absent and not voting: Fitzstephens, Freed, Groene (Fergus), Metlen, Pierson, Roll, Shannon. Total 7.

The Speaker: Ninety-three have voted "aye", 1 has voted "no"; House Bill No. 45 has passed the House.

House Bill No. 44, introduced by Lott, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 82.

Noes: Arnold, Blankenbaker, Campbell, Cusker, Findlater, Givens, Hagerty, Jensen, Nass, Pilgeram, Rearden (Cascade), Waite, Woodcock. Total 13.

Absent and not voting: Fitzstephens, Freed, Haight, Roll, Shannon, Sullivan. Total 6.

The Speaker: Eighty-two have voted "aye," 13 have voted "no"; House Bill No. 44 has passed the House.

House Bill No. 48, introduced by Breitenstein, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn),

Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Doran, Fitzstephens, Haight, Knowles, McElwain, Pierson, Roll, Shannon, Waite. Total 9.

The Speaker: Ninety-two have voted "aye," none have voted "no"; House Bill No. 48 has passed the House.

The Speaker: The House will please take notice that the Speaker is about to sign Senate Bill No. 11. The Speaker thereupon signed the same.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

McCarvel in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 19, respectfully report and recommend as follows: That House Bill No. 19 do pass.

McCARVEL, Chairman."

McCarvel: Move the report be adopted. Seconded.

O'Connell: As a substitute motion, move the enacting clause of H. B. No. 19 be stricken. Seconded.

Beadle: Move that roll call be had and that roll call be entered in the Journal. Seconded. Carried.

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Cusker, Daugherty, Duffy, Ecton, Fowler, Freed, Grabow, Green (Dawson), Groene (Fergus), Haight, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McElwain, Manning, Marshall, Metlen, Miles, Miller (Lincoln), Moss, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 58.

Noes: Balgord, Beadle, Campbell, Chapman, Doe, Doran, Ferry, Findater, Freudenstein, Givens, Goodwin, Hagerty, Harlen, Harrington, Hilger, Holecck, Knowles, Love, McDermott, Mason, Miller (Big Horn), Mulholland, Nass, O'Connell, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Sparling, Stephens (McCone), Sullivan, Trenne, Whaley. Total 37.

Absent and not voting: Ballard, Conner, Fitzstephens, Jensen, Shannon, Ueland. Total 6.

The Speaker: Fifty-eight have voted "aye," 37 have voted "no", the motion to strike the enacting clause has been defeated.

Motion on McCarvel that report be adopted. Carried.

Freed: Move that Sub. H. B. No. 27 be re-referred to Committee on Education. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, beg leave to report that the following Bills were this day reported correctly enrolled: H. B. No. 14; H. J. M. No. 1.

LARSEN, Chairman."

Without objection, report adopted.

Besancon: Move that the House now adjourn until 9:30 a. m. tomorrow morning, January 31st. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTIETH DAY

House of Representatives,
Helena, Montana, January 31, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-seventh Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Ragen and Hilger: A Bill for an Act Entitled: "An Act to amend Section 4 of Chapter 93 of the Session Laws of the Twenty-First Legislative Assembly as amended by Chapter 39 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, defining certain dairy products and certain places of business and specifying the contents of butter, renovated butter, cheese, skimmed milk cheese, and various kinds of ice cream, and also defining the words person and department.

By Abrahamson: A Bill for an Act Entitled: "An Act permitting Nicholas Newby of Bear Creek, Montana, to present a claim to the Industrial Accident Board for the cost of medical and hospital services alleged to have been rendered him for a hernia which developed more than six months after and because of an industrial accident suffered by him in the course of his employment, and authorizing said board to file and consider and act upon the same."

By McElwain: A Bill for an Act Entitled: "An Act appropriating money for the reimbursement and payment of William P. Johnson, for witness fees and mileage as a witness for the State of Montana, in the case brought by the State of Montana against Frank Conley."

The Speaker: The House will please take notice that the Speaker about to sign House Joint Memorial No. 1.

The Speaker: The House will please take notice that the Speaker about to sign House Bill No. 14.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 17. A Bill for an Act Entitled: "An Act to amend Section 9429 of the Revised Codes of Montana, 1921, relating to exemption of earnings—debts incurred for necessities," respectfully report and recommend as follows: That Senate Bill No. 17 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 31 and 90, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 26, introduced by Blankenbaker. A Bill for an Act Entitled: "An Act to amend Sections 5183, 5184, 5185, 5186, Revised Codes of Montana, 1921, relating to the licensing and examination of master plumbers and journeyman plumbers in cities and towns of more than three thousand inhabitants; establishing a system of examination for master plumbers and journeyman plumbers; fixing the fees to be charged for licenses and the disposition of the fund thus created; providing penalties for violations of the provisions of this Act, defining the terms "master plumber" and "journeyman plumbers," respectfully report and recommend that House Bill No. 26 do not pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 28, introduced by Beadle. A Bill for an Act Entitled: "An Act to amend Sections 2816, 2841, 2843 and 2911 of the Revised Codes of Montana of 1921, and to amend Section 2898 of the Revised Codes of Montana of 1921, as amended by Chapter 121 of the Session Laws of the Nineteenth Legislative Assembly of 1925; and to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly of 1929; and to repeal Sections 2978, 2979, 2980, 2982, 2983, 2984, 2985, 2986, 2987, 2988 and 2989 of the Revised Codes of Montana of 1921; all relating to workmen's compensation and to repeal all Acts and parts of Acts in conflict herewith, with certain reservations," respectfully report and recommend as follows: That House Bill No. 28 be printed and placed on General Orders, without recommendation.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 115: A Bill for an Act Entitled: "An Act to prevent the monopoly of transportation services on the highways of Montana by any competing form of transportation service; and to prohibit the control of both competing forms of transportation by any railroad company; and prescribing a penalty for a violation of this Act." Respectfully report and recommend as follows: That House Bill No. 115 do not pass.

HAGERTY, Chairman."

Hagerty: Move the adoption of the report. Seconded. Defeated.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the messages from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, January 30, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and are herewith returned to the House:

Sub. H. B. No. 15, by Appropriations Committee.

H. B. No. 21, by Committee on Economy.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 30, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Senator Kane was this day adopted:

"Mr. President: I move that the Committee on Finance and Claims be authorized to investigate the administration of the State Highway Commission; that they be empowered to conduct hearings and summon witnesses; provided that any expense incurred must first be approved by the Senate."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 30, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 19, be amended in Section 2 by inserting therein in line 1 after the word, "person," the words, "or any member of any board, bureau or commission," and further amend Section 2 by inserting therein in line 3 after the word, "person," the words, "or persons," and further amend in said line 3 by inserting therein after the words, "relative to him," the words, "or them," and further amend in line 3 by inserting therein after the words, "connected with him," the words, "or them."

Amend Section 2 by inserting therein in line 5 after the word, "person," the words, "or any member of any board, bureau or commission" and further amend in line 6 by inserting after the word, "persons," the words, "or any members of any boards, bureaus or commissions."

Amend Section 3 by inserting therein after the word, "employee," in line 1, printed bill, the words, "or any member of any board, bureau or commission," and further amend in line 4 of Section 3, by inserting therein after the word, "employee," the words, "or any member of any board, bureau or commission," and as so amended, recommend that said bill do pass.

That S. B. No. 25 do pass.

That S. B. No. 28 be amended in Section 2 by inserting after the word, "bus," in line 4 the words, "mechanically propelled"; that said bill be amended in Section 3 by striking out in line 8, "for the payment of any damage," and all the words in lines 10 and 11 of said Section 3, and inserting in lieu thereof the words, "for the faithful performance of his duties"; that said bill be amended in Section 3 by striking out in line the word, "eighteen," and inserting in lieu thereof the word, "sixteen." And that as so amended, recommend said bill do pass.

That S. B. No. 33 be amended in Section 1 by inserting in line 9 of the printed bill after the word, "account," the following: "Nor to any person making one single transaction a year," and as so amended, recommend said bill do pass.

That S. B. No. 22 be amended in Section 6 by striking out in line 4 of the printed bill the word, "one," and inserting in lieu thereof the word, "three"; also in Section 6 by striking out in line 7 of the printed bill the words and figures, "One Hundred Thousand Dollars (\$100,000.00)", and inserting in lieu thereof the words and figures "Two Hundred Thousand Dollars (\$200,000.00)."

Also amend in Section 7 by inserting in line 4 of page 3 of the printed bill following the period after the word, "insurance," in the said line, the following sentence: "The said State Insurance Fund shall be invested and administered as a part of the Montana Trust and Legacy Fund under the provisions of Chapter Seventy (70) of the 1929 Session Laws of the State of Montana." And as so amended, recommend said bill do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 30, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Burr, Larson and Armstrong: A Bill for an Act Entitled: "An Act relating to the attachment of personal property, prescribing duties of plaintiff to furnish information to officers serving the writ, and fixing liability in case of suit for wrongful attachment."

By Donovan: A Bill for an Act Entitled: "An Act providing that executors, administrators, and guardians may be empowered to mortgage personal property."

By Parkin: A Bill for an Act Entitled: "An Act to repeal Sub-Sections 9 and 10 of Section 210, Revised Codes of Montana, 1921, as amended by Chapter 78 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, prescribing the duties of the State Examiner and his assistants."

By Parkin: A Bill for an Act Entitled: "An Act to amend Section One of Chapter 33 of the laws of the Twenty-first Legislative Assembly of the State of Montana, providing for the publication of the report of the State Examiner, covering the examination of the various incorporated cities and towns."

By Church: A Bill for an Act Entitled: "An Act to amend Sections 10482 and 10483 of the Revised Codes of the State of Montana of 1921 relating to the 'mothers' pension act,' and providing for the board of county commissioners to act as a granting board for the pensions provided for in the said 'mothers' pension act.'"

By Kelsey: A Bill for an Act Entitled: "An Act to amend Section 1023 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 18 of the Session Laws of the Eighteenth Legislative Assembly of Montana 1923, relating to limitations in connection with the creation of school districts or changing the boundaries thereof."

By Kelsey: A Bill for an Act Entitled: "An Act placing limitations as the boundaries and valuation of old school districts on the creation of new ones."

By Reed: A Bill for an Act Entitled: "An Act to amend Section 1635 of the Revised Codes of Montana 1921, relating to petition by freeholders to establish, change, or discontinue any common or public highway, and to repeal all Acts and parts of Acts in conflict therewith."

By Garber, by request: A Bill for an Act Entitled: "An Act to amend Section 11577 of the Revised Codes of Montana 1921, forbidding discrimination by hospitals."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 30, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 78, by Kane: A Bill for an Act Entitled: "An Act to amend Section 6 of Chapter 89 of the Montana Session Laws of 1925 relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase land sold for delinquent taxes; to purchase and take assignments or certificates to tax sales to said lands; to take title to land so sold for taxes and to purchase such lands in the county when tax deed therefor have issued to the county; and to manage, operate, lease, sell and dispose of the same for the use and benefit of the district on such terms as may seem for the best interest of such district; to commence, maintain and prosecute suits to quiet title as to the land so purchased." Referred to Committee on Irrigation and Water Rights.

S. B. No. 79, by Clifford: A Bill for an Act Entitled: "An Act providing for the appointment, term of employment, compensation, qualifications and duties of gas inspectors; providing further for the inspection of all natural gas distributing plants, construction, appliances, safety devices and apparatus, including the premises of consumers; and for the payment of such inspection by the person, persons or corporation supplying said gas." Referred to Committee on Counties and Towns.

Sub. S. B. No. 9, by Printing Committee: A Bill for an Act Entitled: "An Act to amend Section 293 of the Revised Codes of Montana of 1921 relating to the supervision of public printing by the state purchasing agent, and making it the duty of the State Purchasing Agent to furnish any Board of County Commissioners of any county in Montana with advice and assistance as to any matters that may arise with reference to the administration of the laws of the state relative to county printing, and to furnish such board with a written analysis of any bid offered for a county printing contract or of any claim filed under a county printing contract, and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Printing.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, January 30, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Printing: That S. B. No. 9 by Burr, do not pass, but that Sub. S. B. No. 9, by Committee on Printing, do pass. Report adopted.
Committee on Dairies and Dairying: That S. B. No. 47 do pass. Report adopted.

Committee on Mines and Mining: That S. B. No. 62, by Reed, do pass. Report adopted.

Committee on Mines and Mining: That S. J. M. No. 5, by Kelsey, be not adopted. Report adopted.

Committee on Mines and Mining: That S. J. M. No. 6, by Page, be not adopted. Report adopted.

Committee on Mines and Mining: That S. J. M. No. 8, by Reed, be adopted. Report adopted.

Committee on Elections and Privileges: That H. B. No. 6, by Parker of Flathead, be concurred in. Report adopted.

Committee on Elections and Privileges: That H. B. No. 30, be concurred in. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times and referred to committees:

H. B. No. 116, by Replogle: A Bill for an Act Entitled: "An Act to provide for a license tax to be paid by all persons, firms, co-partnerships and corporations owning or operating hydro-electric power plants, hydro-electric light plants, or electric transmission lines or any system for the distribution or sale of electricity generated by water power." Committee on Revenue and Taxation.

H. B. No. 117, by Committee on Affairs of Cities: A Bill for an Act Entitled: "An Act abolishing liability of cities and towns in the State of Montana on account of defects, holes, obstructions, or depressions in streets, sidewalks and public ways." Committee on Affairs of Cities.

H. B. No. 118, by Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Northern Montana Forestry Association, Kalispell, Montana, on account of fire suppression during the year 1931." Committee on Appropriations. (Read first time by title, second time at length).

H. B. No. 119, by Beadle: A Bill for an Act Entitled: "An Act to provide for the payment by the State of Montana, to any association or individual, the cost of maintaining neglected or dependent children." Committee on Public Morals, Charities and Reforms.

H. B. No. 120, by McCarvel, by request: A Bill for an Act Entitled: "An Act to amend Section 443 of the Revised Codes of Montana, 1921, as amended by Chapter 86 of the Laws of the Twenty-Second Legislative Assembly of the State of Montana, 1931, relating to the limitation of traveling or other expenses of public officers or employees attending conventions or meetings and the payment of membership fees and dues." Committee on State Boards and Officers.

H. B. No. 121, by Watson of Meagher: A Bill for an Act Entitled: "An Act providing for the submission to the qualified electors of the State of Montana an amendment to Section Five, Article XVI, granting the Board of County Commissioners the power to consolidate county offices, and providing the procedure for the consolidation of county offices." Committee on Constitutional Amendments.

H. B. No. 122, by Porter, Watson of Missoula, Roll, Wigal, Jensen: A Bill for an Act Entitled: "An Act defining, licensing and regulating dealers at wholesale as herein defined; defining the words 'produce,' 'person,' and 'commissioner'; outlining the procedure to obtain a license; providing for the date of expiration of licenses, the amount, and the posting thereof; fixing the amount of bonds and defining the conditions thereof; providing for filing of commission schedules, the keeping of records and the report to shippers by dealers; providing for appeals from actions of the commissioner and how appeals may be taken; providing for handling money received from license fees; imposing certain duties and conferring certain powers upon the commissioner of agriculture and prescribing penalties for violation of this act." Committee on Horticulture.

The following Bill was this day introduced, read first time and second time at length and referred to committee.

H. B. No. 123, by Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Blackfoot Forest Protective Association, Bonner, Montana, on account of fire suppression during the year 1931." Committee on Appropriations.

The following Bill was this day introduced, read first and second time and referred to committee.

H. B. No. 124, by Moss and Breitenstein: A Bill for an Act Entitled: "An Act relating to the licensing of motor vehicle operators prescribing what operators must be licensed, what persons shall not be licensed, providing for an examination of applicants, suspension and revocation of license and penalties for driving without license." Committee on Highways.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into Committee of the Whole for the consideration of General Orders under the following conditions: That all bills be read by history, title and section number only, unless some one requests they be read in full; that debate be limited to ten minutes to the author, mover or leading proponent and five minutes to others; that no one shall speak twice until everyone desiring has had a chance to be heard, and that the mover or leading proponent of the bill be given five minutes to close the debate. These rules to be followed in all matters except where unanimous consent is given." Seconded. Carried.

Nelstead of Carter in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills No. 54, 85, 72, 74 and 87, respectfully report and recommend as follows:

That consideration of House Bill No. 54 be passed for the day.

That consideration of House Bill No. 85 be passed for the day.

That House Bill No. 72 be amended as follows: Section One, by striking out in lines 6, 7, and 8, after the word "treasury" in line 6, all of the words, "provided that nothing hereinabove shall apply to townships in a county with a population of fifty thousand or above" and by inserting in line 10 after the word "treasury," the words "provided that nothing hereinabove shall apply to townships in a county with a population of fifty thousand or above";

Section 1, line 9, after the word "dollars," insert the words "per annum"; and that as so amended House Bill No. 72 do pass.

That House Bill No. 74 be re-referred to the Committee on Insurance

That House Bill No. 87 do pass.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 83. A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance of the six (6) units of the University of Montana, for the agricultural experiment

stations and the sub-stations, for farmers' extension work, for the bureau of mines, for the students' railroad fare refund, for the period beginning July 1, 1933 and ending June 30, 1935." Respectfully report as follows:

Amend in Section 1 of the printed bill, by striking out all of line 3 and in line 4 the three words "half mill levy" and inserting in lieu thereof the words "University Millage Fund."

Amend in Section 1 of the printed bill, on page 2, line 44 by inserting after the word "institution" the following words "one-half of," and in line 45 by inserting after the words "land grants and" the word "all."

Amend in Section 1 of the printed bill, on page 2, line 54, after the word "institution" insert the following "and one-half of all the income from Land Grants."

Amend Section 2 of the printed bill, by striking out in line 93 the word "three" and striking out all of line 94, and striking out in line 95 the word "levy" and inserting in lieu thereof the words "University Millage Fund."

Amend in Section 2 of the printed bill, on page 5, line 135, by inserting after the word "institution" the following words "one-half of" in line 136 by inserting after the words "Land Grants and" the word "all."

Amend in Section 2 of the printed bill, on page 5, line 145, after the word "institution" insert the following "and one-half of all the income from Land Grants." Recommend that House Bill No. 83 do pass as amended and be placed on General Orders.

SHANNON, Chairman."

On motion of Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 111. A Bill for an Act Entitled: "An Act authorizing the state to engage in the purchase of crude oil and the purchase and sale of gasoline, oils and lubricants; to construct, purchase or lease and operate oil refineries; providing the manner in which said business shall be initiated and conducted, and making an appropriation for the purpose of carrying out the provisions of this Act." Respectfully report and recommend as follows: That House Bill No. 111 be referred to the Committee on Petroleum, Oil and Gas.

SHANNON, Chairman."

On motion of Shannon, report adopted.

Besancon: Move that the House now recess until 1:30 this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed, pursuant to recess, at 1:30 p. m.
Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Anderson and Setzer: A Bill for an Act Entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-First Legislative Assembly, and to amend Sections 2210 and 2233 of the Revised Codes of Montana for 1921, relating to notice of application for tax deed; redemption from tax sale; redemption of property sold to county and repealing all Acts in conflict herewith."

By Nelstead and Parker of Flathead: A Bill for an Act Entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12 of the constitution of the State of Montana, relating to revenue and taxation, adding thereto a new section, providing for the levy and collection by the state of taxes upon incomes and the distribution of said taxes to the state and public schools."

By Reardon of Deer Lodge and Goodwin: A Bill for an Act Entitled: "An Act to amend Sections 1135, 1136, 1137, 1139 and 1140 of the Revised Codes of Montana of 1921 relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment, powers and duties of truant officers the schooling and relief of pauper children, the prosecution of truants, parents, guardians and employers for violations of the provisions of said sections and providing penalties therefor."

By Committee on Highways: A Bill for an Act Entitled: "An Act creating a highway patrol for the State of Montana under the control and supervision of the State Highway Commission, providing for its organization, regulation, powers and duties, and providing a fund for the maintenance of such patrol, and providing penalties for the violation of this Act."

By Blankenbaker and Moss: A Bill for an Act Entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of Montana of 1921, relating to the apportionment of membership of the House of Representatives in accordance with the official census of 1930, creating representative districts and specifying number of representatives from each district."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 34, 41 and 73, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bill No. 14 and House Joint Memorial No. 1, do hereby report that said Bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:50 o'clock a. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Joint Resolution No. 2: A Resolution providing for the relinquishment or donation to the General Fund of the State by each member of the House of Representatives and Senate of six days per diem," respectfully report and recommend as follows: That House Joint Resolution No. 2 do not pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 97. A Bill for an Act Entitled: "An Act to amend Sections 2089 and 2090 of the Revised Codes of Montana of 1921 relating to the statement of gross yield of mines and net proceeds, the computation and taxation thereof; as amended by Chapter 191 of the Nineteenth Session, Chapters 139 and 140 of the Twentieth Session, and Chapter 135 of the Twenty-Second Session, of the Legislative Assembly of the State of Montana," respectfully report and recommend as follows: That House Bill No. 97 be amended to read as follows:

Amend Section 1, page 1, line 24 by striking out the words "thirty-first day of" and inserting in lieu thereof the words "first Monday in."

Amend Section 1, page 2, line 3 by striking out the words "thirty-first day of March" and inserting in lieu thereof the following, "first Monday of March; provided that is such statement of gross returns shall not have been furnished by this date, the Board of Equalization shall make an immediate assessment of said gross returns from the best information at the board's disposal and such assessment shall not be reduced." And, that House Bill No. 97, as amended, do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were this day introduced, read first and second times, and referred to committees:

S. J. M. No. 2, introduced by Holton and Angvick: "A memorial to the Congress of the United States urging the prompt enactment of legislation for the rehabilitation of the farm industry through the adoption of some form of the domestic allotment plan, the refinancing of farm mortgages, and such other measures as may be found necessary to place the farm industry upon approximately the same footing as other great industries of the United States." Committee on Agriculture.

S. B. No. 50, introduced by Pauline: A Bill for an Act Entitled: "An Act relating to the letting of contracts by Boards of County Commissioners for the purchase of automobiles, trucks, vehicles, road, highway or other machinery, apparatus, appliances, equipment, materials, and supplies." Committee on Townships and Counties.

S. B. No. 53, introduced by Reed: A Bill for an Act Entitled. "An Act to amend Section 4874 of the Revised Codes of Montana, 1921, as amended by Chapter 82 of the Session Laws of the Eighteenth Legislative Assembly of Montana, relating to the authority of the county commissioners to fix the compensation and appointment of deputy county officers." Committee on Townships and Counties.

H. B. No. 125, introduced by Besancon: A Bill for an Act Entitled: 'An Act relating to the letting of contracts for public works, and providing for the purchasing of materials and supplies manufactured or produced in Montana to be used in public works and providing for the giving of a differential of five per cent to persons, corporations or concerns who manufacture or produce such materials and supplies in the State of Montana.' Committee on Improvements and Manufacturing.

The following bill was this day introduced, read first and second time at length and referred to committee:

H. B. No. 126, introduced by Committee on Appropriations: A Bill for an Act Entitled: "An Act appropriating money for custodian and maintenance and repairs of the Montana State Fair Grounds and buildings beginning July 1, 1933, and ending June 30, 1935." Committee on Appropriations.

The following Bill was this day introduced, read first and second times, and referred to committee:

H. B. No. 127, introduced by Balgord, by request: A Bill for an Act Entitled: "An Act to amend Chapter 148 of the Session Laws of the Twenty-First Legislative Assembly of Montana, commonly called 'the county budget Act' by adding thereto an additional section providing the transfer of money from any fund for use for relief in case an emergency is declared by the Governor." Committee on Townships and Counties.

GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole, for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Nelstead in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 90, House Joint Memorial No. 2, Senate Amendments to House Bill No. 16, Senate Amendments to House Bill No. 7, and Senate Bill No. 17, respectfully report and recommend as follows:

That House Bill No. 90 do pass.

That House Joint Memorial No. 2 do pass.

That House Bill No. 31 be amended as follows: By striking out lines 16 and 17, Section 1, all of the balance of line 16 after the word "schools," through the word "district" in line 17; and that as so amended the bill do pass.

That the Senate Amendments to House Bill No. 60 be concurred in.

That the Senate Amendments to House Bill No. 7 be concurred in.

That Senate Bill No. 17 be concurred in.

NELSTEAD, Chairman."

On motion of Nelstead, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Joint Memorial No. 3, a memorial to the Congress of the United States of America, requesting the enactment of an adequate unemployment insurance law," respectfully report and recommend as follows: That House Joint Memorial No. 3 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 75: A Bill for an Act Entitled: "An Act requiring all contracts for state, county, municipal and school construction or repair work and maintenance to be let to bona fide residents of the State of Montana, except in cases where federal aid funds are involved and federal statutes contain requirements inconsistent herewith and providing the contracts entered into in violation of the terms here shall be void," respectfully report and recommend as follows: That House Bill No. 75 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed:

House Bills Nos. 19, 72 and 87.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 99: A Bill for an Act Entitled. "An Act amend Chapter 102 of the Session Laws of the Twenty-Second Legislative Assembly, 1931, relating to contracts on public works; providing for pr

ferential employment and rate of wages to be paid; providing for posting of notice of such wages in conspicuous place, providing for revocation of contract for failure to comply with provisions of this Act; providing for penalties for failure to enforce the provisions of this Act," respectfully report and recommend as follows: That House Bill No. 99 do pass.

BEADLE, Chairman."

On motion of Beadle, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 82: A Bill for an Act Entitled: "An Act providing for the licensing of automobile mechanics; for the application for such license; for a board of automobile mechanics examiners; for examination fee and renewal of licenses; for rules and regulations as to apprentices; for regulations as to the use of moneys paid as license fees; for the revocation of such licenses; for issuance of license without examination and fixing a penalty for the violation of this Act," respectfully report and recommend as follows: That House Bill No. 82 do not pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

Besancon: Move that the House now adjourn until 9:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-FIRST DAY

House of Representatives,
Helena, Montana, February 1, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all present except Duffy.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-Ninth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Committee on State Lands: A Bill for an Act Entitled: "An Act to repeal Sections 1928, 1930 and 1932 of the Revised Codes of Montana of 1921 as amended by Chapter 6 of the Laws of the State of Montana of 1923; and Sections 1929, 1931, 1933, 1934, 1935, 1936, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947 and 1948 of the Revised Codes of Montana of 1921, all of the said Sections relating to the investment of the common school permanent fund and other permanent funds of the State of Montana, including the investment of such funds in farm mortgage loans."

By Committee on State Lands: A Bill for an Act Entitled: "An Act to amend Section 1872 of Chapter 148 of the Revised Codes of Montana of 1921, and to provide for a revision of stumpage prices and the regulations governing the cutting of timber on the state's forests."

By Committee on State Lands: A Bill for an Act Entitled: "An Act accepting the amendment enacted by Congress to Section eleven (11) of the Act approved February 22, 1889 (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana and Washington, approved by the President of the United States, May 1, 1932."

By Metlen: A Bill for an Act Entitled: "An Act appropriating money in satisfaction and settlement of the claim of E. R. Glead for injuries sustained by him upon a highway of this state near Lima, Montana, and directing the State Auditor to draw his warrant upon the state highway fund therefor in settlement of said claim upon payment of said warrant."

By Metlen: A Bill for an Act Entitled: "An Act relating to the lawfulness of permitting of livestock to run at large on any state highway, the right of way of which is fenced; removal of such stock; duty of officials providing for a penalty for violation."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 4, 62, 77, 78, 88, 100 and 104, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 107: A Bill for an Act Entitled: "An Act amending Sections 1, 2 and 7, of Chapter 124 Session Laws of the State of Montana of 1927, and providing for an additional section to said Act to be known as Section 7-A; relating to the duties of the State Scale Expert. Providing for the transfer of all calibrating equipment from the office of the Secretary of State to the Scale Division of the Department of Agriculture," respectfully report and recommend as follows: That House Bill No. 107 do pass.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 55: A Bill for an Act Entitled: "An Act creating a highway patrol for the State of Montana under the control and supervision of the State Highway Commission, providing for its organization, regulation, powers and duties and providing for a fund for the maintenance of such patrol and providing penalties for the violation of the Act," respectfully report and recommend as follows: That House Bill No. 55 do not pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 126: A Bill for an Act Entitled: "An Act appropriating money for custodian and maintenance and repairs of the Montana State Fair Grounds and buildings beginning July 1, 1933 and ending June 30, 1935," respectfully report and recommend that House Bill No. 126 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 123: A Bill for an Act Entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Blackfoot Forest Protection Association, Bonner, Montana, on account of fire suppression during the year 1931," respectfully report and recommend as follows: That House Bill No 123 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 118: A Bill for an Act Entitled: "An Act appropriating money for the payment of certain obligations incurred on behalf of the Northern Montana Forestry Association, Kalispell, Montana, on account of fire suppression during the year 1931," respectfully report and recommend as follows: That House Bill No. 118 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 37: A Bill for an Act Entitled: "An Act creating a highway patrol for the State of Montana, under the control and supervision of the Registrar of Motor Vehicles; providing for the organization, regulation, powers and duties; and providing a fund for the maintenance of such patrol," respectfully report and recommend that House Bill No. 37 do not pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration H. B. No. 66: A Bill for an Act entitled: "An Act to amend Section 8366 of the Revised Codes of Montana, 1921, as amended by Chapter 112 Laws of 1931 relating to liens of threshermen and owners of combine harvesters and threshers upon grains or crops," respectfully report and recommend as follows: That House Bill No. 66 be amended as follows: By striking out in line 21, Section 1, after the word "crops" and before the word "provided" the words "regardless of the ownership of said grain or crops" and inserting in lieu thereof "and which lien may be claimed by the owner of said grain for the reasonable value of such services, if same are performed by him," and that as so amended, the same do pass.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 96: A Bill for an Act Entitled: "An Act to amend Section 5121 of the Revised Codes of Montana, of 1921, as amended by Chapter 58, of the Laws of the Twentieth Legislative Assembly, relating to duties of trustees of the Fire Department Relief Association and to amend Section 5130 of the Revised Codes of Montana of 1921 as amended by Chapter 58 of the laws of the Twentieth Legislative Assembly, and as further amended by Chapter 137, of the laws of the Twenty-First Legislative Assembly, relating to duties of the secretary and treasurer of Fire Department Relief Association. The official bond of the treasurer and the duties of the state examiner with reference to the examination of the books and accounts of such association, and prescribing qualifications for membership in such association," respectfully report and recommend as follows: That House Bill 96 do pass.

GRABOW, Chairman."

On motion of Grabow, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 117: A Bill for an Act Entitled: "An Act abolishing liability of cities and towns in the State of Montana on account of defects, holes, obstructions, or depressions in streets, sidewalks and public ways," respectfully report and recommend as follows: That House Bill No. 117 do pass.

GRABOW, Chairman."

On motion by Grabow, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

State of Montana, Office of the Governor,
Helena, Montana, January 31, 1933.

The Speaker,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 14. An Act to appropriate funds for the payment of certain deficiency claims arising for obligations incurred by the district judge expense.

H. J. M. No. 1. A Memorial to the Congress of the United States of America, requesting the enactment of adequate legislation which will reimburse the Blackfeet Indians for the loss of lands known as the Cedar Strip in northwestern Montana, certain rights to said lands having been wrongfully taken from them without just compensation.

J. E. Erickson,
Governor.

Besancon: Move the communications from the Senate be considered read, and that the Journal so show. Seconded. Carried.

Helena, January 31, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 50, introduced by Pauline.

S. B. No. 53, introduced by Reed.

S. J. M. Mo. 2, introduced by Holton and Angvick.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 31, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 26 do pass.

That consideration of H. B. No. 6 be passed for the day.

That H. B. No. 30 be concurred in.

That committee arise.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 31, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 87, by Campbell and Willis: A Bill for an Act Entitled: "An Act to amend Section 6 of Chapter 109, Laws of the Twentieth Legislative Assembly of 1927, as amended by Section 1, Chapter 192, of the laws of the Twenty-Second Legislative Assembly of 1931, relating to the standard of gasoline sold in Montana." Referred to Committee on Oils and Leases.

S. B. No. 88, by Parkin: A Bill for an Act Entitled: "An Act to repeal Sub-Sections 9 and 10 of Section 210, Revised Codes of Montana, 1921, as amended by Chapter 78 of the laws of the Eighteenth Legislative Assembly of the State of Montana, prescribing the duties of the State Examiner and his assistants." Referred to Committee on State Boards and Offices.

S. B. No. 89, by Donovan: A Bill for an Act Entitled: "An Act providing that executors, administrators and guardians may be empowered to mortgage personal property." Referred to Committee on Judiciary.

S. B. No. 90, by Parkin: A Bill for an Act Entitled: "An Act to amend Section One of Chapter 33 of the Laws of the Twenty-First Legislative Assembly of the State of Montana, providing for the publication of the report of the State Examiner, covering the examination of the various incorporated cities and towns." Referred to Committee on State Boards and Offices.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 31, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senate Standing Committees this day reported as follows:

Committee on Dairies and Dairying: That S. B. No. 13 be reported back without recommendation, report adopted.

Committee on Judiciary: That S. B. No. 67 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, January 31, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introduction of Bills were this day received:

By Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 378 of the Revised Codes of the State of Montana relating to the reporting of decisions by the Justices of the Supreme Court and the salary for such services."

By Committee on Stockgrowing and Grazing: A Bill for an Act Entitled: "An Act to amend Section 1 and Section 4 of Chapter 119 of the Laws of Montana of 1931, providing for the creation, size, location, boundaries and procedure for the establishment of a horse herd district, from which area horses are barred from running at large; providing a penalty for horses running at large within said district; providing the person, owner or person in control of such horse or horses, shall be liable for all damages sustained thereby; and providing for the impounding and disposition of said horse or horses; and providing for the dissolution of such districts."

By Husband: A memorial to the Congress of the United States, urging continuance of established highway federal aid and action upon pending highway authorizations.

By Clifford: A Bill for an Act Entitled: "An Act to amend Section 182 of the Revised Codes of the State of Montana of 1921 as amended Chapter 85 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as further amended by Chapter 180 of the Session Laws of the Twenty-First Legislative Assembly of 1929, relating to the depositing funds in the hands of the State Treasurer, and providing for the security to be delivered by the banks designated as depositories by the State Depository Board and further providing in what banks said Depository Board may designate as depositories."

Respectfully,

J. F. CONE,
Secretary.

Helena, January 31, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced in the Senate, read first and second time, and referred to committees:

S. B. No. 80, by Galt and Delaney: A Bill for an Act Entitled: "An Act to amend Section 2840 of the Revised Codes of Montana of 1921, Section 2870 of the Revised Codes of Montana of 1921, Sections 2912, 2914, 2915 and 2920 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-First Legislative Assembly of 1929; all relating to workmen's compensation." Referred to Committee on Compensation.

S. B. No. 81, by Reed: A Bill for an Act Entitled: "An Act to amend Section 1635 of the Revised Codes of Montana 1921, relating to petition of freeholders to establish, change, or discontinue any common or public highway, and to repeal all Acts and parts of Acts in conflict therewith." Referred to Committee on Roads and Highways.

S. B. No. 82, by Kane and Pauline: A Bill for an Act Entitled: "An Act amending Sections 8814, 440, 220, 219, 363, 437, 438, 439, 933, 15, 1958, 2446, 2739, 2740, 2819, 3255, 3557, 3784 and 3786 of the Revised Codes of the State of Montana of 1921, and amending Section 14 of Chapter 16 of the Session Laws of the Twentieth Legislative Assembly of 1927, and amending Section 3 of Chapter 179 of the Session Laws of the Nineteenth Legislative Assembly of 1925, and amending Section 59 of Chapter 89 of the Session Laws of the Twentieth Legislative Assembly of 1927, relating to the salaries and compensation of certain state officers, district judges, and of all deputy state officers and clerks, stenographers and employees and of state offices, commissions, board, bureaus, and departments, and further providing that all Acts and parts of Acts in conflict with the provisions of this Act are hereby specifically amended according to this Act." Referred to Committee on State and County Economies.

S. B. No. 83 by Garber, by request: A Bill for an Act Entitled: "An Act to amend Section 11577 of the Revised Codes of Montana of 1921 forbidding discrimination by hospitals." Referred to Committee on Judiciary.

S. B. No. 84, by Campbell: A Bill for an Act Entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, as amended by Chapter 18 of the Acts of the Nineteenth Legislative Assembly and Chapter 113 of the Acts of the Twentieth Legislative Assembly of the State of Montana; relating to taxes on personal property and the like thereof." Referred to Committee on Judiciary.

S. B. No. 85, by Church: A Bill for an Act Entitled: "An Act to amend Sections 10482 and 10483 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 12 of the Session Laws of the Twentieth Legislative Assembly of 1927, relating to the 'mothers' pension Act,' providing for the board of county commissioners to act as a granting board for the pensions provided in said 'mothers' pension act.'" Referred to Committee on Judiciary.

S. B. No. 86, by Burr, Larson and Armstrong: A Bill for an Act Entitled: "An Act relating to the attachment of personal property, prescribing duties of plaintiff to furnish information to officers serving the writ, and fixing liability in case of suit for wrongful attachment." Referred to committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bill was this day introduced, read first and second time, and referred to Committee:

H. B. No. 128, introduced by Abrahamson: A Bill for an Act Entitled: An Act permitting Nicholas Newby of Bear Creek, Montana, to present a claim to the Industrial Accident Board for the cost of medical and hospital services alleged to have been rendered him for a hernia which developed more than six months after and because of an industrial accident suffered by him in the course of his employment, and authorizing said board to hear and consider and act upon the same." Referred to Committee on Workmen's Compensation.

The following Bill was this day introduced, read first time and second time at length, and referred to committee:

H. B. No. 129, by McElwain: A Bill for an Act Entitled: "An Act appropriating money for the reimbursement and payment of William P. Johnson, for witness fees and mileage as a witness for the State of Montana in the case brought by the State of Montana against Frank Conley." Committee on Appropriations.

The following Bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 130, by Reardon of Deer Lodge and Goodwin: A Bill for an Act Entitled: "An Act to amend Sections 1135, 1136, 1137, 1139 and 1140 of the Revised Codes of Montana of 1921 relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment powers and duties of truant officers, the housing and relief of pauper children, the prosecution of truants parents, guardians and employers for violations of the provisions of said sections and providing penalties therefor." Committee on Education.

H. B. No. 131, by Hilger and Ragen: A Bill for an Act Entitled: "An Act to amend Section 4 of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly as amended by Chapter 39 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, defining certain dairy products and certain places of business and specifying the contents of butter, renovated butter, cheese, skimmed milk cheese, and various kinds of ice cream, and also defining the words 'person' and 'department.'" Committee on Dairies and Dairying.

H. B. No. 132, by Highways Committee; A Bill for an Act Entitled: An Act creating a highway patrol for the State of Montana under the control and supervision of the State Highway Commission, providing for its organization, regulation, powers and duties, and providing a fund for the maintenance of such patrol, and providing penalties for the violation of this Act." Committee on Highways.

H. B. No. 133, by Goodwin: A Bill for an Act Entitled: "An Act to regulate the payment of wages or compensation of employees in private employment providing a penalty for the violation thereof and authorizing the Commissioner of Agriculture to enforce the provisions of this Act." Committee on Labor.

H. B. No. 134, by Pilgeram: A Bill for an Act Entitled: "An Act to amend Section 3545 of the Revised Codes of Montana of 1921, relating to penalties for violation of the coal mining laws of the State of Montana" Committee on Judiciary.

H. B. No. 135, by Porter, Watson of Missoula, Wigal, Roll, Jensen: A Bill for an Act Entitled: "An Act to regulate the sale of, and to fix standard grades for farm products; to provide for inspection, branding and labeling thereof; defining certain terms; conferred certain powers upon the Commissioner of Agriculture; and fixing certain penalties for the violation thereof, and declaring an emergency." Committee on Horticulture.

THIRD READING OF SENATE BILLS

Senate Bill No. 17, introduced by Simmons, having been read the several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Bridgewater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Ron, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 99.

Noes: None.

Absent and not voting: Duffy, Moss. Total 2.

The Speaker: Ninety-nine have voted "aye", none have voted "no"; Senate Bill No. 17 has been concurred in by the House.

Senate Amendments to House Bill No. 16, introduced by Committee on Appropriations, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Hilger, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Bridgewater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 99.

Noes: Haight, Harrington, Knowles, Rearden (Cascade). Total 4.

Absent and not voting: Chapman, Duffy, Holecek, Moss, Parker (Flathead), Rolph. Total 6.

The Speaker: Ninety-one have voted "aye," 4 have voted "no"; Senate amendments to House Bill No. 16 have been concurred in by the House.

Senate Amendments to House Bill No. 7, introduced by Besancon, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Dougherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Chapman, Duffy, Kuhl, Larsen, Metlen, Rolph, Shannon. Total 7.

The Speaker: Ninety-four have voted "aye," none have voted "no"; Senate Amendments to House Bill No. 7 have been concurred in by the House.

THIRD READING OF HOUSE BILLS

House Bill No. 19, introduced by Nutting, having been read three several times, and title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Arnold, Ballard, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Chapman, Cusker, Daugherty, Ecton, Findlater, Fitzstephens, Fowler, Freed, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Kruse, Kuhl, Larsen, Lewis, Logan, McElwain, Marshall, Miles, Miller (Lincoln), Moss, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 61.

Noes: Anderson, Balgord, Beadle, Campbell, Conner, Doe, Doran, Ferry, Freudenstein, Goodwin, Harrington, Hilger, Holecek, Jensen, Knowles, Lott, Love, McCarvel, McDermott, Manning, Mason, Miller (Big Horn), Mulholland, Nass, O'Connell, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Setzer, Sparling, Stephens (McCone), Sullivan, Trenne. Total 37.

Absent and not voting: Duffy, Metlen, Shannon. Total 3.

The Speaker: Sixty-one voted "aye," 37 have voted "no"; House Bill No. 19 has passed the House.

Pierson: Move that House Bill No. 72 be re-referred to the Committee on Economy. Seconded. Carried.

O'Connell: Move that House Bill No. 87 be re-referred to the Committee on Judiciary. Seconded. Carried.

The Speaker: The House will please take notice that the Speaker is about to sign Substitute House Bill No. 15.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 21.

Besancon: Move that the House now recess until 1:30 p. m. Seconded. Carried.

AFTERNOON SESSION

House resumed at 1:30 p. m., pursuant to recess.
Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce Bills as follows:

By Ralston: A Bill for an Act Entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of banks in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof."

By Haight: A Bill for an Act Entitled: "An Act to submit to the electors of the State of Montana the question whether there shall be a convention to revise, alter or amend the constitution of the State of Montana."

By Doe: A Bill for an Act Entitled: "An Act requiring the county assessor to annually value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of 1927."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, beg leave to report House Bill No. 21 and Substitute House Bill No. 15 as correctly enrolled.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 21 and Substitute House Bill No. 15, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, were this day, at the hour of 10:35 o'clock a. m., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bill No. 99 and House Joint Memorial No. 3, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills correctly engrossed: H. J. M. No. 2; H. B. No. 90; H. B. No. 31.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 33, introduced by Bjorneby by request A Bill for an Act Entitled: "An Act to amend Section 2705 of the Revised Codes of Montana, 1921, providing for the appointment, term of employment, compensation, qualifications and duties of electrical inspectors; providing further for notice and inspection of electrical construction, appliances

safety devices and apparatus, for the payment of inspection fees and prescribing penalties for violations of this Act." Respectfully report and recommend as follows: That House Bill No. 33 be placed on General Orders without recommendation.

PIERSON, Chairman."

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 74: A Bill for an Act Entitled: "An Act to amend Section 6199 of the Revised Codes of Montana of 1921, and amended by the Session Laws of 1931, relating to mutual insurance companies," respectfully report and recommend as follows:

That House Bill No. 74 do not pass, but that Substitute House Bill No. 74: A Bill for an Act Entitled: "An Act to amend Section 6199 of the Revised Codes of Montana of 1921, and as amended by Section 2, of Chapter 62, of the 1931 Session Laws, relating to mutual rural insurance companies," do pass.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 35, introduced by Willis: A Bill for an Act Entitled: "An Act to amend Section 4524 of Chapter 12 of the Revised Codes of Montana of 1921, relating to 'when a person may receive relief from the county'—and repealing all Acts and parts of Acts in conflict herewith," respectfully report and recommend as follows: That Senate Bill No. 35 be amended as follows:

In line 22, strike out the whole paragraph and insert in lieu thereof, the paragraph as follows, calling it Section 2:—

Section 2. Where there is an able-bodied person in the family applying for relief, the relief given in money or otherwise, must, when the board of County Commissioners so require, be worked out at the prevailing rate of wages for the particular class of labor performed on all unbudgeted governmental work as may be designated by the Board of County Commissioners.

Be it further amended, by inserting Section 3, in line 27 as follows:

Section 3. All relief in the State of Montana shall be handled and dispersed by the Board of County Commissioners of each county and all labor done on such work designated by the Board of County Commissioners shall be pro-rated among those applying for relief or assistance. For the time thus worked the Board of County Commissioners shall pay at their discretion not less than twenty per cent (20%) in cash to the recipients of such relief or assistance. The personnel of the organization distributing this relief or assistance, shall, as far as possible, be made up of the recipients of the relief or assistance, under the direction and supervision of the Board of County Commissioners."

By so amending, Section 2 would be changed to Section 4, and Section 4 changed to Section 5, and as so amended be concurred in.

BYRNE, Chairman."

On motion of Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 53, introduced by Woodcock: A Bill for an Act Entitled: "An Act to amend Section 4741 of the Revised Codes of Montana of 1921 relating to the classifications of counties," respectfully report and recommend as follows: That House Bill No. 53 do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 95, introduced by the Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 127 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929 and to amend Sections 3 and 9 of the Session Laws of the Twenty-First Assembly of the State of Montana 1929 as amended by Chapter 18 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana 1931, defining the practice of barbering, the qualifications for certificate and registration of registered barbers; defining the powers and duties of the board of examiners." Respectfully report and recommend as follows: That House Bill No. 95 do pass.

DOE, Chairman."

On motion by Doe, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 91, introduced by the Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Section 3210 of the Revised Codes of Montana 1921, as amended by Chapter 123, Session Laws of 1925, and Chapter 12 of the Session Laws of 1929, relating to the qualifications for admission to school for nurses," respectfully report and recommend as follows:

That House Bill No. 91 do pass.

DOE, Chairman."

On motion by Doe, report adopted.

"Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 92, introduced by Freudenstein: A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire to be stopped at all railway grade crossings before traversing such crossings," respectfully report and recommend as follows: That House Bill No. 92 do pass.

PIERSON, Chairman."

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 57: A Bill for an Act Entitled: "An Act providing that no deficiency judgment shall exist after foreclosure of mortgages executed for securing payment of unpaid balance on the purchase price of real property and defining the term foreclosure," respectfully report and recommend as follows: That House Bill No. 57 be printed and placed on General Orders without recommendation.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: "We, your Committee on Judiciary, having had under consideration House Bill No. 87: A Bill for an Act Entitled: "An Act to regulate the conduct of collection agencies and providing a penalty for the violation thereof," respectfully report and recommend as follows: That House Bill No. 87 be amended as follows:

That in Section 8, page 3, line 8, after the word "to" and before the word "attorney" that the word "an" be inserted.

That Section 8 be further amended by changing the period that follows the final word "State" to a comma and that the following then be added: "nor shall it apply to agents, employees, or officers of corporations, co-partnerships, societies, or persons, who shall, in the course of their employment or duties engage in the collection of accounts, notes, dues, or other claims." And that the bill so amended, do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 81: A Bill for an Act Entitled: "An Act to amend Section 11973 of the Revised Codes of Montana, 1921, relating to the separate and joint trials of persons jointly charged with the commission of public offenses," respectfully report and recommend as follows: That House Bill No. 81, do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

Shannon: Move that House Bill No. 83 be taken from the bottom of the list for General Orders and placed at the top of the list. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following Bill was this day introduced, read first and second times, and referred to committee:

H. B. No. 136, introduced by Anderson and Setzer: A Bill for an Act Entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-First Legislative Assembly, and to amend Sections 2210 and 2233 of the Revised Codes of Montana for 1921, relating to notice of application or tax deed; redemption from tax sale; redemption of property sold to county, and repealing all Acts in conflict herewith." Committee on Revenue and Taxation.

THIRD READING OF HOUSE BILLS

H. J. M. No. 2, introduced by Beadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roglien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 92.

Noes: Green (Dawson), Marshall, Quamme, Sparling, Stevens (Wheatland). Total 5.

Absent and not voting: Fowler, Freed, Roll, Stiefel. Total 4.

The Speaker: Ninety-two have voted "aye," 5 have voted "no"; H. M. No. 2 has passed the House.

H. B. No. 90, introduced by Committee on Economy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen,

Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Leis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mars, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Woodcock, Mr. Speaker. Total 100.

Noes: None.

Absent and not voting: Stiefel. Total 1.

The Speaker: One Hundred have voted "aye," none have voted "no"; House Bill No. 90 has passed the House.

H. B. No. 31, introduced by Stiefel, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Annin, Arnold, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudensin, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Knowles, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Lincoln), Moss, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Somerville, Spangler, Strange, Sullivan, Watson (Meagher), Whaley, Wigal. Total 56.

Noes: Abahamson, Acher, Anderson, Balgord, Ballard, Beadle, Blkenbaker, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Givens, Goss (Dawson), Hilger, Holecek, Kruse, Kuhl, Metlen, Miles, Miller (Big Horn), Mulholland, Nass, O'Shea, Pilgeram, Porter, Quamme, Ragen, Replogle, Snidow, Sparling, Stephens (McCone), Stevens (Wheatland), Trenne, Ueland, Waite, Watson (Missoula), White, Woodcock, Mr. Speaker. Total 41.

Absent and not voting: Freed, Haight, Shannon, Stiefel. Total 4.

The Speaker: Fifty-six have voted "aye," 41 have voted "no"; House Bill No. 31 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move that the House now resolve itself into Committee of the Whole for the consideration of General Orders, and that all bills be read by title and section number only, unless otherwise called for. Seconded. Carried.

Byrne of Toole in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 83, 33, 54, 85, and 41, respectfully report and recommend as follows:

That House Bill No. 83, as amended by the Committee on Appropriations, do pass.

That House Bill No. 33 do pass.

That House Bill No. 54 be amended as follows: In Section 1, line 5, by striking out the words "election officer" and inserting in lieu thereof the words "Board of Election," and that as so amended the bill do pass.

That House Bill No. 85 be passed for the day.

That House Bill No. 41 do pass.

BYRNE, Chairman.

On motion by Byrne, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Committee on Appropriations: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance, and other purposes, as designated herein, for the several state departments, boards, commissions and bureaus of the State of Montana for the period beginning July 1, 1933 and ending June 30, 1935."

By Campbell: A Bill for an Act Entitled: "An Act to amend Section 32 of the Revised Codes of Montana of 1921 as amended by Chapter 118 of the Session Laws of the Nineteenth Legislative Assembly of Montana and Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to the date of holding primary elections."

By Mason: A Bill for an Act Entitled: "An Act permitting Mrs. Mary Shisholm of Lewis and Clark County, Montana, to file a claim for alleged industrial accident after expiration of six months from the date of happening of alleged accident."

CONSIDERATION OF MESSAGES FROM THE GOVERNOR
AND SENATE

State of Montana, Office of the Governor,
Helena, Montana. February 1, 1933.

Mr. Speaker,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 21. An Act to amend Section 1617 of Montana Revised Codes of 1921, relating to the powers of County Commissioners in making levies for highway purposes.

Sub. H. B. No. 15. An Act to appropriate money for payment of mileage and per diem to the presidential electors.

J. E. ERICKSON,
Governor.

MOTIONS AND RESOLUTIONS

Besancon: Move that the State Board of Equalization and the Railroad and Public Service Commission of Montana be granted two days additional time and until February 3rd at 3 p. m. to furnish to the House the information requested of them in the resolution of the gentleman from Gallatin, which was adopted by the House on January 27th. Seconded. Carried.

Besancon: Move the House now adjourn until tomorrow morning at 10 o'clock. Seconded. Carried.

D. A. DELLWO,
Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-SECOND DAY

House of Representatives,
Helena, Montana, February 2, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirtieth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

COMMUNICATIONS AND PETITIONS

The Speaker: There are two communications that the Speaker desires to make this morning:

February 2, 1933.

Members of the House:

At this time the Chair desires to call the attention of the House to a serious breach of courtesy and violation of privilege which was recently perpetrated upon this Body.

A communication was placed on the desks of this chamber in which it was charged that the honored members of one of our committees were in collusion with the insurance companies, and, to use the language of the circular itself, were "in on the money."

I should not consider myself worthy to sit on this rostrum if I were to permit such an implication to pass without a feeling of utmost resentment and it becomes all the more reprehensible coming as it does from a member of another Legislative Body.

I sincerely hope that the members of this House, in each of whom I have implicit faith, and who are laboring assiduously to solve the problems of the State will not again be subjected to a similar discourtesy.

DELLWO,
Speaker.

Members of the House:

The ruling of the Chair upon a motion to reconsider House Action on a Bill followed by a motion to lay on the table, that the bill adhere to the motion to reconsider and follows it to the table, and that it can be called up again at any time by a motion to take from the table, gives rise to the question, "How can the House take final adverse action on any matter?"

This is an important question. It is highly desirable that the House have some method of finally disposing of the matters which come before it. The time of the House is too valuable to have it wasted upon repeated reconsiderations of matters upon which debate has been exhausted, and upon which it has taken definite action.

In some Legislative Bodies, the motion to reconsider, when laid upon the table, carries with it all adhering motions and **cannot be taken from the table.** It is very doubtful if this is wise procedure, as it can be used unfairly by experienced members, to move a certain matter beyond the control of the House at a time when its sponsors are not on the alert.

Under the rules governing this body, the following procedure is available:

After the House has voted adversely on the main question before it, which might be a bill, a resolution or any main motion, a member who voted on the prevailing side can move a reconsideration. In all likelihood the motion to reconsider, if made immediately, would fail and it could not be renewed as to that question, and since there is no other way of bringing a bill or other main question back before the House, this procedure constitutes final adverse action.

The following further procedure is available:

A motion to postpone indefinitely is in order as to any main question or motion and would be in order as to a bill, at any time the bill might be before the House, up to its final passage. The motion to postpone indefinitely is open to debate and even opens up the main question to debate, and therefore, a member making such a motion could not justly be accused of using unfair tactics.

There is only one way to bring a matter back before the House after action on it has been taken to postpone indefinitely, and that is by a motion to reconsider, which motion must be made either on that day or on the succeeding day.

It is readily apparent that if the motion to postpone indefinitely was carried, and a motion were made to reconsider and the motion to reconsider should fail, that the matter postponed indefinitely would be finally and adversely disposed of.

DELLWO,
Speaker.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Lewis: A Bill for an Act Entitled: "An Act for the submission to the qualified electors of the State of Montana an amendment of Section 16, Article XII of the Constitution of Montana relating to the assessment of property and the apportionment of taxes from railroads."

By Committee on Townships and Counties: A Bill for an Act Entitled: "An Act to amend Section 10482 Revised Codes of Montana, 1921, as amended by Chapter 12 of the Session Laws of 1927 and Section 10483 Revised Codes of Montana, 1921, and relating to a mother's pension and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 114: A Bill for an Act Entitled: An Act legalizing and validating tax deeds heretofore issued notwithstanding any error in the form, substance or amounts stated in notice of application for tax deed unless the amount actually due for taxes, interest and penalty has been tendered to the holder of the tax deed or county treasurer before the approval of this Act," respectfully report and recommend as follows:

That House Bill No. No. 114, do pass.

ROGNLIEN, Chairman."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and are herewith transmitted to the House for concurrence:

S. B. No. 19, by Kaubach.

S. B. No. 25, by Kaubach and Galt.

S. B. No. 26, by Rowland.

S. B. No. 28, by Ekegren.

S. B. No. 33, by Parkin and MacGilvra.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 30, by Rognlien, was this day read three several times and concurred in, title and history agreed to, and is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion by Kelsey was this day duly seconded and carried:

"It is hereby moved that the Senate Committee on Taxation and the Senate Committee on Finance and Claims are, and each is hereby authorized and empowered forthwith to examine into, check, investigate, the Railroad Commission and the Public Service Commission, together with the proceedings, record, minutes, correspondence and decisions, and the administration and effectiveness of the services thereof; with full power to compel the attendance of any person, officer, or member of any board, or employee thereof, as a witness and the production of any records, files, documents, and papers; and said committees, and each of them, shall have the privilege of being assisted by counsel and agents to be chosen by said committee or committees; and shall have power to vest in a sub-committee thereof all the authority and power of such committee or committees; and shall from time to time, with all reasonable dispatch, report to the Senate the actions, findings, and recommendations of said committee or committees hereunder; but said committee or committees shall not incur any expense whatsoever in the premises without express authorization by the Senate.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Introduction was this day received:

By Himsel: A Bill for an Act Entitled: "An Act to provide for the establishment and operation of branch banks upon approval of the Superintendent of Banks in places not served by banks or by taking over the business of an existing bank and repealing all Acts and parts of Acts in Conflict herewith."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 8 do pass.

That S. B. No. 10 do pass.

That S. B. No. 21 do pass.

That S. B. No. 44 be amended in Section 1 by striking out in line 9 the words and figures, "Two Thousand Four Hundred Dollars (\$2,400.00)," and inserting in lieu thereof the words and figures, "One Thousand Eight Hundred Dollars (\$1800.00)"; and as so amended, recommend said bill do pass.

That S. B. No. 66 do pass.

That consideration of S. B. No. 65 be passed for the day.

That H. B. No. 6 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That Senate Bill No. 7 do pass.

That the Committee arise.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 91, by Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 378 of the Revised Codes of the State of Montana relating to the reporting of decisions by the justices of the supreme court and the salary for such services." Referred to Committee on State and County Economies.

S. B. No. 92, by Committee on Stocgrowing and Grazing: A Bill for an Act Entitled: "An Act to amend Section 1 and Section 4 of Chapter 119 of the Laws of Montana of 1931, providing for the creation, size, location, boundaries and procedure for the establishment of a horse herd district, from which area horses are barred from running at large; providing a penalty for horses running at large within said district; providing the person, owner or person in control of such horse or horses be liable for all damages sustained thereby; and providing for the impounding and disposition of said horse or horses; and providing for the dissolution of such districts." Referred to Committee on Stockgrowing and Grazing.

S. B. No. 93, by Willis and MacGilyra: A Bill for an Act Entitled: "An Act to amend Section 9035 of the Revised Codes of Montana, 1921, relating to actions which must be begun within six months and regulating the time within which an action for restoration to office by any person having been wrongfully or illegally removed or excluded from office, and regulating the time within which an action should be begun to recover salary or other emoluments of such office, and repealing Section 9038 and Section 9039 of the Revised Codes of Montana, 1921." Referred to Committee on Judiciary.

S. B. No. 94, by Kelsey: A Bill for an Act Entitled: "An Act to amend Section 1023 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 18 of the Session Laws of the Eighteenth Legislative Assembly of Montana 1923, relating to limitations in connection with the creation of school districts or changing the boundaries thereof." Referred to Committee on Education.

S. B. No. 95, by Kelsey: A Bill for an Act Entitled: "An Act placing limitations as to the boundaries and valuation of old school districts on the creation of new ones." Referred to Committee on Education.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Roads and Highways: That S. B. No. 4, by Page, be amended in Section 1 by adding to paragraph 1 on page 3 of said bill after the last word, "county," the following words: "When special road districts have been created in any county said districts shall be entitled to a share of said fees in such proportion as the assessed valuation of said district bears to the entire assessed valuation of said county."

And as so amended, recommend said bill do pass, report adopted.

Committee on State and County Economies: That S. B. No. 29, by Clifford, do pass, report adopted.

Committee on Judiciary: That S. B. No. 36 do pass, report adopted.

Committee on Roads and Highways: That S. B. No. 71, by Walker do pass. Report adopted.

Committee on Judiciary: That S. B. No. 77, do pass. Report adopted.

Committee on Roads and Highways: That S. B. No. 81, by Reed, do pass, report adopted.

Committee on Judiciary: That S. B. No. 83, do pass. Report adopted.

Committee on Judiciary: That S. B. No. 86 do not pass. On motion Senate reconsidered vote by which it adopted Judiciary Committee report on S. B. No. 86, and on motion of Burr, S. B. No. 86 was ordered printed and placed on General File.

Majority of Committee on Federal Relations: That S. J. M. No. 7, by Clifford, do pass, report adopted.

Committee on Banks and Banking: That H. B. No. 8, by Besancon, be amended by striking out that part beginning with the word, "applications," in line 14, page 3, engrossed bill, and all of that sentence to and including the word, "payment," in line 21, and substituting in lieu thereof the following:

"Applications for withdrawal are to be registered on the books of the association in the order received and one-half of all cash collections not required to meet outstanding contracts, must be used for the payment of the matured stock and of the withdrawals in the order registered; provided, however, that the other half of such collections each month may be used for the payment of withdrawals other than in the order registered, but no member shall receive more than one hundred dollars in any one month other than by payment of an application for withdrawal in the order registered."

Also be amended by striking out that part of sub-section 12 of Section 1, on Page 4, engrossed bill, beginning with the word "provided," in the 11th line of such Sub-Section, and everything from there to the end of the paragraph, and inserting in lieu thereof the following:

"Also to borrow money from the Federal Home Loan Bank upon such terms as may now or hereafter be required by the Federal Home Loan Bank, and to execute the promissory note of the corporation therefor, and to pledge or hypothecate any of the assets of the corporation to secure the repayment of said loan, with interest, in accordance with the Federal Home Loan Bank Act, and the rules and regulations adopted or to be adopted thereunder."

And as so amended, recommend said bill be concurred in, report adopted.

Committee on State and County Economies: That H. B. No. 9 be returned to the House to be properly engrossed, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Kalberg: A Bill for an Act Entitled: "An Act relative to exemptions from execution in the case of farmers."

By Kilduff: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article VI of the Constitution of the State of Montana, relating to Senators and Senatorial Districts, by amending Section 4 and repealing Section 5 of such Article."

By Committee on Federal Relations: A Senate Joint Memorial to Congress of the United States to enact Senate File S1043, introduced by Hon. T. J. Walsh of Montana, relating to the conferring upon the States of Montana, Wyoming, and Idaho the right to tax, for state and county purposes, persons, co-partnerships and corporations, and their property within the portion of Yellowstone Park which lies within the boundaries of said states."

By Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 8796 of the Revised Codes of the State of Montana of 1921, relating to the salaries of the Justices of the Supreme Court of the State of Montana."

By Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 3 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to the qualification and compensation of the State Board of Equalization."

By Reed: A Bill for an Act Entitled: "An Act to amend Chapter 172 of the political code of the Revised Codes of the State of Montana of 1921, by the amendment thereto of Sections 2156, 2157, 2158, 2159 and 2160, relating to the duties of the county assessor and the county clerk in relation to taxes, and providing that the duties enumerated within those Sections to be made a part of the duties of the county assessor."

Respectfully,

J. F. CONE,
Secretary.

Breitenstein: The Committee on Highways requests more time on House Bill No. 65.

Without objection, request granted.

Groene: Move the House reconsider its action on House Bill No. 41. Seconded. Carried.

Besancon: Move that House Bill No. 28 be made a Special Order of Business on General Orders for tomorrow afternoon at 2:00 o'clock. Seconded. Carried.

Besancon: Move that the Rules of the House be extended by the adoption of an additional rule designated as Rule 60 reading as follows:

RULE 60

Suspension of Rules: Any rule herein, excepting rules based upon constitutional or statutory provisions, may be suspended for a specified purpose by unanimous consent.

Referred to Committee on Rules, Joint Rules, and Order of Business.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were introduced, read first and second times, and referred to committees:

H. B. No. 137, by Campbell: A Bill for an Act Entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118 of the Session Laws of the Nineteenth Legislative Assembly of Montana and Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to the date of holding primary elections." Committee on Privileges and Elections.

H. B. No. 138, by Doe: A Bill for an Act Entitled: "An Act requiring the county assessor to annually value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of 1927." Committee on Townships and Counties.

H. B. No. 139, by Blankenbaker and Moss: A Bill for an Act Entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of Montana, 1921, relating to the apportionment of membership of House of Representatives, in accordance with the official census of 1930, creating representative districts and specifying the number of representatives from each district." Committee on Apportionment and Representation.

The following bills were introduced, read first time and second time at length, and referred to committees:

H. B. No. 140, by Committee on Appropriations: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance, and other purposes, as designated herein, for the several state departments, boards, commissions and bureaus of the State of Montana for the period beginning July 1, 1933, and ending June 30, 1935." Committee on Appropriations.

H. B. No. 142, introduced by Metlen: A Bill for an Act Entitled: "An Act appropriating money in satisfaction and settlement of the claim of E. E. Glead for injuries sustained by him upon a highway of this state near Lima, Montana, and directing the State Auditor to draw his warrant upon the state highway fund therefor in settlement of said claim upon payment of said warrant." Committee on Appropriations.

The following bills were introduced, read first and second time and referred to committees:

H. B. No. 141, introduced by Metlen: A Bill for an Act Entitled: "An Act relating to the willful permitting of livestock to run at large on a state highway, the right of way of which is fenced; removal of such stock by officials; providing for a penalty for violation." Committee on Livestock and Public Ranges.

S. B. No. 19, by Kaulbach: A Bill for an Act Entitled: "An Act to define nepotism and to prevent such practice in the State of Montana and prescribing the penalties thereof." Committee on Judiciary.

S. B. No. 25, by Galt and Kaulbach: A Bill for an Act Entitled: "An Act to amend Sections 4525 and 4526 Revised Codes of Montana, 1921, providing for the letting of contracts by Boards of County Commissioners for the care, support and maintenance of the indigent sick, poor and infirm of the county." Committee on Townships and Counties.

S. B. No. 26, by Rowland: A Bill for an Act Entitled: "An Act relating to the floating indebtedness of counties outstanding at the close of the fiscal year ending June 30, 1933, and providing for the issuance of bonds to fund indebtedness or the levying of special taxes to pay such floating indebtedness." Committee on Townships and Counties.

S. B. No. 28, by Ekegren: A Bill for an Act Entitled: "An Act relating to vehicles used in conveying children to and from school, providing rules and regulations governing such vehicles and the driving and operation thereof, and prescribing the duties of drivers of other vehicles with regard thereto." Committee on Education.

S. B. No. 33, by Parkin and MacGillvra: A Bill for an Act Entitled: "An Act to amend Section 4058 Revised Codes of Montana, 1921, defining the term "real estate broker." Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Daugherty: Move that H. B. No. 41 be re-referred to Committee on Agriculture. Seconded.

Pilgeram: As a substitute motion, move it be re-referred to Committee on Judiciary. Seconded. Defeated.

Daugherty's motion was then put to vote and carried.

The following Resolution was introduced by Ragen:

WHEREAS, two half blocks of land lying directly north of the Capitol and adjacent thereto may be useful to the State,

NOW, THEREFORE, be it resolved that the Speaker appoint a committee of two to act with a like committee from the Senate for the purpose of conferring with the county commissioners of Lewis and Clark County regarding the acquisition of the above mentioned ground, and to report to the House.

(Signed) RAGEN.

On motion by Ragen, resolution adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 129: A Bill for an Act Entitled: "An Act appropriating money for the reimbursement and payment of William P. Johnson, for witness fees and mileage as a witness for the State of Montana, in the case brought by the State of Montana against Frank Conley." Respectfully report and recommend as follows:

That House Bill No. 129 do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 128, introduced by Abrahamson, A Bill for an Act Entitled: "An Act permitting Nicholas Newby of Bear Creek, Montana, to present a claim to the Industrial Accident Board for the cost of material and hospital services alleged to have been rendered him for a hernia which developed more than six months after and because of an industrial accident suffered by him in the course of his employment, and authorizing said board to file and consider and act upon the same." Respectfully report and recommend as follows:

That House Bill No. 128 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

Besancon: Move the House now recess until 1:30 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 1:30 o'clock.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Repogle: A Bill for an Act Entitled: "An Act to repeal Section 2323 of the Revised Codes of Montana, 1921, as amended by Chapter 7 of the Session Laws of the Twenty-Second Legislative Assembly, and to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325 and 2326 of the Revised Codes of Montana, 1921, relating to coal mines license tax."

By Groene: A Bill for an Act Entitled: "An Act to permit building and loan associations to issue permanent stock, or stock in series, defining rights and liabilities of permanent stock with respect to other classes of stock, stipulating under what terms and conditions existing corporation may issue permanent stock, and repealing all Acts and parts of Acts in conflict therewith."

By Committee on Highways: A Bill for an Act Entitled: "An Act relating to traffic regulations; providing for lights or reflectors on a vehicles, machinery and mechanical contrivances upon state highways and for warning signals at the extreme rear end of loads extending three feet or more beyond the rear of body of such vehicles; and providing penalties for the violation of this Act."

By Campbell: A Bill for an Act Entitled: "An Act to amend Section 3717 of the Revised Codes of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly, prohibiting the use or possession of explosives or poison for the purpose of killing fish; declaring same a misdemeanor and fixing the penalty therefor."

By Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act to amend Sections 2296, 2297 and 2303, and to repeal Section 2298, Montana Revised Codes of 1921; to provide a license tax upon corporations organized under the laws of the State of Montana, or organizations under the laws of any other state and doing business within this state providing a method of arriving at net income, allowing certain deductions and exempting certain corporations from said tax; to provide for allocation of income to Montana of business done by corporations both within and without the state; to provide for the necessary enforcement and collection of said tax, and penalties for failure to comply herewith, and granting powers of the State Board of Equalization to make rules and regulations relative thereto, and repealing all Acts and parts of Acts in conflict herewith."

By O'Shea: A Bill for an Act Entitled: "An Act permitting Charles Magelo of Musselshell County, Montana, to file a claim for compensation for alleged industrial accident injury and disability after expiration of six months from the date of the happening of the alleged accident, injury and disability and permitting notice thereof to be deemed given."

By Committee on Horticulture: A Bill for an Act Entitled: "An Act to amend Sections 3614 and 3618 Revised Codes of Montana, 1921, relating to nursery stock and fruit inspection and fees collected thereon."

Besancon: Move that the Enrolling Clerk be given authority to number Sections 4 and 5 in House Bill No. 16.

Without objection, authority granted.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 30.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 16.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report House Bills No. 30 and 16 correctly enrolled.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 66, 96, 107, 117, 118, 123, 126, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 76: A Bill for an Act Entitled: "An Act to provide for postponement of sale under execution or mortgage foreclosure providing the terms thereof, and amending Section 9435 of the Revised Codes of Montana of 1921," respectfully report and recommend as follows:

That House Bill No. 76 be amended as follows: In Section 1, line 24 after the words "officer of the costs" strike out the words "of sale accrued and costs" and that when so amended the Bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the following motion by Besancon, to-wit: "I move that the Rules of the House be extended by the adoption of an additional rule designated as Rule 60 reading as follows:

Rule 60: Suspension of Rules. Any rule herein, excepting rules based upon constitutional or statutory provisions, may be suspended for a specified purpose by unanimous consent," respectfully report and recommend as follows: That said motion do pass.

BESANCON, Chairman.

On motion by Besancon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 140: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance, and other purposes, as designated herein, for the several state departments, boards, commissions and bureaus of the State of Montana, for the period beginning July 1, 1933 and ending June 30, 1935." Respectfully report and recommend as follows: That House Bill No. 140 do pass.

SHANNON, Chairman.

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 59: A Bill for an Act Entitled: "An Act defining the duties of court stenographers and disposition of charge for making up transcripts by them," respectfully report and recommend as follows: That House Bill No. 59 do not pass, but that Substitute House Bill No. 59, introduced by Judiciary Committee: A Bill for an Act Entitled: "An Act defining the duties of court stenographers with reference to transcripts made by them and amending Section 8931 of the Revised Codes of Montana of 1921," do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 124: A Bill for an Act Entitled: "An Act relating to the licensing of motor vehicle operators, prescribing what operators must be licensed, what persons shall not be licensed, providing for examination of applicants, suspension and revocation of license and penalties for driving without license," respectfully report and recommend as follows: That House Bill No. 124 do pass.

BREITENSTEIN, Chairman."

On motion of Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills correctly engrossed: H. B. Nos. 33, 54, and 83.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 1, introduced by Garber: A Bill for an Act Entitled: "An Act to amend Section 853 Revised Codes of Montana, 1921 relating to the Greater University of Montana," respectfully report as follows: That the entire title of the original Bill be stricken and the following substituted therefor: A Bill for an Act Entitled: "An Act to amend Section 853 Revised Codes of Montana, 1921, relating to the University of Montana, abolishing the office of chancellor and authorizing the State Board of Education to employ executive and administrative officers and other employees." And that the Bill be further amended by inserting in line 1 of the original bill between the word "of" and "employees" and word "officers" and by inserting in line 13 of the original bill between the word "other" and "officers" the words "executive or administrative" and by inserting in line 14 of the original bill between the words "institutions" and "as" the following: "Or for the State Board of Education" and that Section 1 of the original bill be further amended by adding after the word "institutions" in line 21 the following new sentence "provided, that no contract of employment made by the State Board of Education with any of the officers or other employees hereinbefore mentioned shall be made for a period greater than two years." And that a new Section 2 be added and Section 2 and 3 of the original bill renumbered to conform and said new Section 2 to read: "The intent of this Act is to abolish the office of Chancellor, and the same is hereby abolished and terminated." And as so amended the bill be concurred in. We further recommend that the Bill as amended be re-printed and placed on the desks of the members.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 111: A Bill for an Act Entitled: "An Act authorizing the state to engage in the purchase of crude oil at the purchase and sale of gasoline, oils and lubricants; to construct, purchase or lease and operate oil refineries; providing the manner in which said business shall be initiated and conducted, and making an appropriation for the purpose of carrying out the provisions of this Act." Respectfully report and recommend that House Bill No. 111 be amended to read as follows: By adding a new Section to be known as Section 5 to read as follows:

"Section 5. Moneys received from sales of products named here shall be deposited with the State Treasurer in a special fund known as gasoline marketing fund and disbursements therefrom requisitioned from the State Purchasing Agent to be approved by the State Board of Examine

and the State Auditor should draw therefrom." That the following Sections 5 and 6 be renumbered to follow in proper form, as "Section 6" and "Section 7," and that the bill as so amended do pass.

WOODCOCK, Chairman."

On motion by Woodcock, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 32: A Bill for an Act Entitled: "An Act defining strip mining," providing for the hours of labor of said work and providing penalty for the violation of this Act," respectfully report and recommend as follows: That House Bill No. 32 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 68: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in or about cement plants and at quarries and hydro-electric dams, and providing penalties for a violation thereof," respectfully report and recommend as follows: That House Bill No. 68 be amended as follows: In line 10 of the original bill after the word "work" and before the word "for" by inserting the words "except in cases of emergency where life and property is in imminent danger," and as so amended do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

Harrington of Silver Bow and Ragen of Lewis and Clark were excused.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were introduced, read first and second time, and referred to committees:

H. B. No. 143, by Mason: A Bill for an Act Entitled: "An Act permitting Mrs. Mary Chisholm of Lewis and Clark County, Montana, to file claim for compensation for alleged industrial accident after expiration of six months from the date of happening of alleged accident." Committee on Workmen's Compensation.

H. B. No. 144, by Ralston: A Bill for an Act Entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of banks in this state, prescribing the license and filing fees to be paid thereon, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof." Committee on Banks and Banking.

THIRD READING OF HOUSE BILLS

H. B. No. 33, introduced by Bjorneby by request, having been read three several times, history and title agreed to, was defeated by the following vote:

Ayes: Abrahamson, Ballard, Beadle, Besancon, Bjorneby, Chapman, Daugherty, Duffy, Ferry, Fowler, Freudenstein, Goodwin, Hagerty, Hilger, Holecck, Kruse, Lewis, Love, McDermott, McElwain, Marshall, Moss, Mullolland, Nass, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Rognlein, Roll, Rolph, Shannon, Sparling, Sullivan, Whaley, Mr. Speaker. Total 38.

Noes: Acher, Anderson, Annin, Balgord, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Doe, Doran, Ecton, Findlater, Fitzstephens, Freed, Givens, Grabow, Green (Dawson), Haight, Harlen, Jensen,

Knowles, Kuhl, Larsen, Logan, Lott, McCarvel, Manning, Metlen, Miles Miller (Big Horn), Miller (Lincoln), Nelstead, Nutting, Porter, Quamme Ralston, Replogle, Setzer, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock. Total 54.

Absent and not voting: Arnold, Groene (Fergus), Harrington, Mason Ragen, Reardon (Deer Lodge), Schuster, Stephens (McCone), Rearden (Cascade). Total 9.

The Speaker: Thirty-eight have voted "aye," 54 have voted "no" House Bill No. 33 has failed to pass the House.

H. B. No. 54, introduced by Committee on Economy, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Kruse, Kuhl Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead) Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlein, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Steven (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Arnold, Givens, Groene (Fergus), Harrington Knowles, Mason, Ragen, Rearden (Cascade). Total 8.

The Speaker: Ninety-three have voted "aye," none have voted "no" House Bill No. 54 has passed the House.

H. B. No. 83, introduced by Committee on Appropriations, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 97.

Noes: None.

Absent and not voting: Harrington, Knowles, Mason, Ragen. Total 4.

The Speaker: Ninety-seven have voted "aye", none have voted "no" House Bill No. 83 has passed the House.

The Speaker: The House will please take notice that the Speaker is about to sign Senate Bill No. 17.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 16 and 30, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, were this day, at the hour of 2:15 o'clock P. M. delivered to the Governor for his approval.

LARSON, Chairman."

Without objection, report adopted.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the same rules as adopted on January 31, 1933. Seconded. Carried.

Grabow of Park in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 85, 73, 34 and 4, respectfully report and recommend as follows:

That House Bill No. 85 be taken from General Orders and re-referred to the Committee on State Boards and Officers.

That House Bill No. 73 be taken from General Orders and re-referred to the Committee on Judiciary.

That House Bill No. 34 be amended by striking out in line 16 of Section 1 the word "Sanders" and in line 17 the words "Flathead, Lincoln, Granite," and that as so amended, the bill do pass.

That House Bill No. 4 be amended as follows: Section 5, line 15, by striking out the word "twentieth" and inserting in lieu thereof the word "tenth"; and in line 17 by striking out the word "twenty" and inserting in lieu thereof the word "ten"; Section 8, by striking out in lines 5 and 6 the words "and doing an annual gross business of two thousand dollars," and that as so amended the bill do pass.

GRABOW, Chairman."

On motion of Grabow, report adopted.

MOTIONS AND RESOLUTIONS

Freudenstein: Move that House Bill No. 92 be withdrawn from the Committee on Printing, and re-referred to the Committee on Public Safety. Seconded. Carried.

Besancon: Move the House now adjourn until 9:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-THIRD DAY

House of Representatives,
Helena, Montana, February 3, 1933.

House convened, pursuant to adjournment, at 9:30 A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-first Legislative Day, find the same to be correct.
ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

COMMUNICATIONS AND PETITIONS

Helena, February 2, 1933.

The Speaker,
House of Representatives,
Helena:

I have the honor to advise you that I have this day approved the following House Measures:

H. B. No. 16, An Act appropriating money for the payment of claim of Andy Briscoe as compensation or as a pension, due to injuries received while on duty in the service of the State of Montana as a private in the Service Company, 163rd Infantry, Montana National Guard.

H. B. No. 30, An Act to amend Section 813 of the Revised Codes of Montana, 1921, providing for the election of Presidential Electors and that the names of the candidates for President and Vice-President of the United States be placed on ballots.

J. E. ERICKSON, Governor.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Snidow: A Bill for an Act entitled: "An Act to amend Chapter Twenty-one, enacted by the Twenty-second Legislative Assembly of the State of Montana entitled: 'An Act providing for a basis of imposition of taxes on agricultural products in storage, or held on the farm, and amending all Acts and parts of Acts in conflict herewith,' and to include livestock on feed within the terms thereof."

By Committee on Education: A Bill for an Act entitled: "An Act to amend Section 1035 of the Revised Codes of Montana of 1921, relating to joint school districts, their formation, control and discontinuance."

By Beadle, O'Connell, Harrington, Mulholland, Freudenstein, Goodwin, McDermott: A Bill for an Act entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 57, 74, 91, 95, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 119, a Bill for an Act entitled: "An Act to Provide for the payment by the State of Montana, to any association or individual, the cost of maintaining neglected or dependent children," respectfully report and recommend as follows:

That House Bill No. 119 do not pass.

JENSEN, Chairman."

On motion by Jensen, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 101, introduced by Committee on Education, a Bill for an Act entitled: "An Act to amend Section 1012 of the Revised Codes of Montana of 1921 relating to the authority of school districts to issue warrants before school moneys are collected; and making valid and legal all warrants heretofore issued in conformity therewith," respectfully report and recommend as follows:

That House Bill No. 101 do pass.

FREED, Chairman.

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, beg leave to report that House Bill No. 7 has been correctly enrolled.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 130, introduced by Reardon of Deer Lodge, and Goodwin, a Bill for an Act entitled: "An Act to amend Sections 1135, 1136, 1137, 1139 and 1140 of the Revised Codes of Montana of 1921 relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment powers and duties of truant officers, the schooling and relief of pauper children, the prosecution of truants, parents, guardians and employers for violations of the provisions of said sections and providing penalties therefor," respectfully report and recommend as follows: That House Bill No. 130 be referred to the Committee on Labor.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 89, introduced by Stevens, a Bill for an Act entitled: "An Act to authorize a trapper's license restricted to lands owned or occupied by applicant," respectfully report and recommend as follows: That House Bill No. 89 be amended as follows: In line 14 after the word "trap," and before the word "fur-bearing" insert the word "any" and in line 15 after the word "animals," and before the word "on," insert the words "except beaver." In line 9 after the word "tenant" and before the word "of" insert the following words "or members of the immediate family thereof," and as so amended, do pass.

SPANGLER, Chairman.

On motion by Spangler, report adopted.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 7.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

Helena, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 6, by Parker of Flathead, was this day read three several times and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move that further communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

- S. B. No. 7, by Keeley, by request.
- S. B. No. 8, by Staggs.
- S. B. No. 10, by Simmons.
- S. B. No. 21, by Holton and Ruffcorn.
- S. B. No. 66, by Committee on State and County Economies.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Standing Committees this day reported as follows:

Committee on State and County Economies: That S. B. No. 16 do pass. Report adopted.

Committee on Fish and Game: That S. B. No. 64 do pass. Report adopted.

Committee on State and County Economies: That S. B. No. 82 be amended by striking out all of Sections 24 and 25 and by renumbering Sections 26, 27 and 28 as Sections 24, 25 and 26, respectively, and as so amended, that said bill do pass. Report adopted.

Committee on State and County Economies: That S. B. No. 91 do pass. Report adopted.

Committee on Education: That S. B. No. 94, by Kelsey, do pass. Report adopted.

Committee on Education: That S. B. No. 95, by Kelsey, do pass. Report adopted.

Committee on Fish and Game: That House Bill No. 11 be amended by striking out all that part of Section 1 after the word "bird," in line 3, and striking out the comma after the word "bird," in line 3, and substituting therefor a period; and as so amended, recommend same be concurred in. Report adopted.

Committee on Education: That House Bill No. 69, by Committee on Education, be concurred in. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Committee on Agriculture: A Bill for an Act entitled: "An Act to amend Section 6433 of the Revised Codes of the State of Montana of 1921, relating to the powers invested in any organization created under the Cooperative Marketing Act, and providing for the handling of products of non-members."

By Church: A Bill for an Act entitled: "An Act defining the practice of law and prescribing a penalty for practicing law without a license herefor, and to repeal Section 8944 of the Revised Codes of Montana, 1921."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day introduced, read first and second time, and referred to committee:

S. B. No. 102, by Committee on State and County Economies: A Bill for an Act entitled: "An Act to amend Section 4922, Revised Codes of Montana 1921, relating to the fees of county coroners." Referred to Committee on State and County Economies.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 19—Committee on Fish and Game.

H. B. No. 31—Committee on Education.

H. B. No. 90—Committee on State and County Economies.

H. J. M. No. 2—Committee on Mines and Mining.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. J. M. No. 8 be amended by striking out the words in lines 51 and 52 of the printed bill, "the United States Senator-elect," and as so amended, recommend said S. J. M. No. 8 do pass.

That Substitute for S. B. No. 9 do pass.

That action on S. B. No. 13 be indefinitely postponed.

That S. B. No. 29 do pass.

That S. B. No. 47 do pass.

That consideration of S. B. No. 62 be passed for the day.

That S. B. No. 65 be amended in the title by striking out in lines 2 and 3 the following: "Section 4874, Revised Codes of Montana 1921, as amended by Chapter 82, Session Laws 1923"; and be amended in Section 2 by striking out in line 57 the words, "and deputy assessor," and adding after the word, "dollars," in line 58, the words, "each deputy assessor, allowed by law, at a rate of not more than fifteen hundred dollars"; and be amended in Section 3 by striking out all of said section and renumbering the following sections correctly; and be amended in Section 4 by adding in line 15 after the word, "fourth," the words, "and fifth," also by striking out in line 16 the word, "fifth" and by changing the word, "classes," to "class"; and be amended in Section 4 by striking out in line

17 after the words, "under sheriff," all the remainder of that line and all of lines 18, 19 and 20, and inserting in lieu thereof the words, "The sheriff of any county from the first to the fifth class may appoint not to exceed three jailors whose salary shall not be more than that allowed deputy sheriffs."

And as so amended, recommend said bill do pass.

That S. B. No. 67 do pass.

That H. B. No. 8 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Agriculture: That S. B. No. 41, by Corwin, be amended in Section 3, page 4, original bill, by inserting after the word, "sell," line 20, the following: "so much of such stored grain at the local market price on the close of business on said day as is sufficient to pay the accrued storage charges and shall thereupon issue new storage tickets for the balance of the grain to the owner thereof upon surrender by him of the original storage receipt."

And as so amended, recommend said bill do pass. Report adopted.

Committee on Agriculture: That S. B. No. 72, by Corwin, be amended in Section 1, line 15, by adding after the word, "Montana," the words, "not already licensed under the Public Warehousing Act."

And as so amended, recommend said bill do pass. Report adopted.

Committee on Sanitary Affairs: That S. B. No. 76 do pass. Report adopted.

Committee on Judiciary: That S. B. No. 89 do pass. Report adopted.

Committee on Judiciary: That S. B. No. 93 do pass. Report adopted.

Committee on Finance and Claims: That H. B. No. 18, by Appropriations Committee, be concurred in. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Pauline: A Bill for an Act Entitled: "An Act prohibiting county commissioners from purchasing any item of personal property of the value of five hundred dollars (\$500.00) or more, without the approval of the State Purchasing Agent and authorizing purchase by him for county commissioners under certain conditions."

By Holt, by request: A Bill for an Act Entitled: "An Act to amend Section 634, Revised Codes of Montana, 1921, relating to the nomination of party candidates by direct vote."

By Holt, by request: A Bill for an Act Entitled: "An Act to amend Sections 567 and 568 of the Revised Codes of Montana of 1921, relating to the registration of electors, and to the printing and posting of lists of registered electors, and the preparation by the county clerk of poll books."

By Husband: A Memorial to the Congress of the United States, urging continuance of established highway federal aid and action upon pending highway authorizations.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 96, by Himsl: A Bill for an Act Entitled: "An Act to provide for the establishment and operation of branch banks upon approval of the Superintendent of Banks in places not served by banks or by taking over the business of an existing bank and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Banks and Banking.

S. B. No. 97 by Kilduff: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article VI of the Constitution of the State of Montana, relating to Senators and Senatorial Districts, by amending Section 4 and repealing Section 5 of such article." Referred to Committee on Constitutional Amendments.

S. B. No. 98, by Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 8796 of the Revised Codes of the State of Montana of 1921, relating to the salaries of the justices of the supreme court of the State of Montana." Referred to Committee on State and County Economies.

S. B. No. 99, by Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 3 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to the qualification and compensation of the State Board of Equalization." Referred to Committee on State and County Economies.

S. B. No. 100, by Corwin: A Bill for an Act Entitled: "An Act to provide funds for the maintenance of a lighting system in rural improvement districts." Referred to Committee on Judiciary.

S. B. No. 101, by Kalberg: A Bill for an Act Entitled: "An Act relative to exemptions from execution in the case of farmers." Referred to Committee on Judiciary.

S. J. M. No. 9, by Committee on Federal Relations: "A Memorial memorializing the Congress of the United States to enact Senate File S1043, introduced by the Honorable T. J. Walsh of Montana, relating to the conferring upon the States of Montana, Wyoming, and Idaho the right to tax, for state and county purposes, persons, co-partnerships, and corporations, and their property within the portion of Yellowstone Park which lies within the boundaries of said states." Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

The following Resolution was this day introduced, read first and second time and referred to Committee:

H. J. R. No. 3, introduced by Committee on Education: A Resolution concerning the laws for the rural and elementary schools in the State of Montana and asking for a survey commission to be appointed by the State Board of Education. Committee on Education.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SALE

The following Bills were introduced, read first and second time, and referred to committees:

S. B. No. 7, introduced by Keeley, by request: A Bill for an Act entitled: "An Act legalizing and validating all elections heretofore held in any city of this state, authorizing the creation or increase of the indebtedness of such city within or exceeding three per centum of the total assessed valuation of the taxable property of said city, as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in Subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1919, which elections were held after notice published and posted, as provided in Section 5279 or Section 8, Chapter 160, of the Session Laws of Montana, 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election." Committee on Townships and Counties.

S. B. No. 8, introduced by Staggs: A Bill for an Act Entitled: "An Act to amend Section four (4) of Chapter One Hundred Sixty (160) Session Laws of 1931, relating to the term of bonds of incorporated cities and towns and the interest thereon; providing the procedure relative to the issuance of said bonds and the duty of city and town officers in connection therewith and repealing all Acts and parts of Acts in conflict therewith." Committee on Townships and Counties.

S. B. No. 10, introduced by Simmons: A Bill for an Act Entitled: "An Act relating to price charged for any standard petroleum product within the State of Montana, providing for procedure in the determination of price under the act, defining standard petroleum product to be a "public utility," defining what is included within the term "standard petroleum product," providing for construction to be placed upon this Act, prescribing duties of county attorney, providing penalties for the violation thereof, and repealing all Acts and parts of Acts in conflict herewith." Committee on Judiciary.

S. B. No. 21, introduced by Holton and Ruffcorn: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 92 Session Laws 1919, being an Act entitled; 'An Act relating to the giving of notice on application for tax deeds by counties, cities, and towns,' and legalizing and validating tax deeds heretofore issued to counties, cities and towns." Committee on Judiciary.

S. B. No. 66, introduced by Committee on State and County Economy: A Bill for an Act Entitled: "An Act to amend Sections 4885 and 4916 Revised Codes of Montana 1921 as amended by Chapter III Session Laws 1927 and Chapter 89 Session Laws 1929, relating to the mileage, expenses and fees of sheriffs." Committee on Economy.

H. B. No. 145, by Committee on Highways: A Bill for an Act Entitled: "An Act relating to traffic regulations; providing for lights or reflectors on all vehicles, machinery and mechanical contrivances upon State Highways and for warning signals at the extreme rear end of loads extending three feet or more beyond the rear of body of such vehicles; and providing penalties for the violation of this Act." Committee on Highways.

H. B. No. 146, by Campbell: A Bill for an Act Entitled: "An Act to amend Section 3717 of the Revised Codes of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly, prohibiting the use or possession of explosives or poison for the purpose of killing fish; declaring same a misdemeanor and fixing the penalty therefor." Committee on Fish and Game.

H. B. No. 147, by Nelstead and Parker of Flathead: A Bill for an Act Entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12 of the constitution of the State of Montana, relating to revenue and taxation, adding thereto a new section

providing for the levy and collection by the state of taxes upon incomes and the distribution of said taxes to the public schools and to the state government." Committee on Constitutional Amendments.

H. B. No. 148, by Committee on State Lands: A Bill for an Act Entitled: "An Act accepting the amendment enacted by Congress to Section Eleven (11) of the Act approved February 22, 1889 (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana and Washington, approved by the president of the United States May 7, 1932." Committee on State Lands.

H. B. No. 149, by Committee on State Lands: A Bill for an Act Entitled: "An Act to amend Section 1872 of Chapter 148 of the Revised Codes of Montana of 1921, and to provide for a revision of stumpage prices and the regulations governing the cutting of timber on the state's forests." Committee on State Lands.

H. B. No. 150, by O'Shea: A Bill for an Act Entitled: "An Act permitting Charles Magelo of Musselshell County, Montana, to file a claim or compensation for alleged industrial accident injury and disability after expiration of six months from the date of the happening of the alleged accident, injury and disability and permitting notice thereof to be deemed given." Committee on Workmen's Compensation.

H. B. No. 151, by Committee on Horticulture: A Bill for an Act Entitled: "An Act to amend Sections 3614 and 3618 Revised Codes of Montana, 1921, relating to nursery stock and fruit inspection and fees collected thereon." Committee on Horticulture.

H. B. No. 152, by Committee on Townships and Counties: A Bill for an Act Entitled: "An Act to amend Section 10482 Revised Codes of Montana 1921, as amended by Chapter 12 of the Session Laws of 1927 and Section 10483 Revised Codes of Montana 1921 and relating to a mother's pension and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject." Committee on Townships and Counties.

H. J. R. No. 3, by Committee on Education: "A resolution concerning the laws for the rural and elementary schools in the State of Montana and asking for a survey commission to be appointed by the State Board of Education." Committee on Education.

H. B. No. 153, by Lewis: A Bill for an Act Entitled: "An Act for the submission to the qualified electors of the State of Montana an amendment of Section 16, Article XII of the Constitution of Montana relating to the assessment of property and the apportionment of taxes from railroads." Committee on Constitutional Amendments.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules laid down on January 31st. Seconded. Carried.

Kruse of Garfield in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 77, 78, 104, 62, 88, 100, respectfully report and recommend as follows:

That House Bill No. 77 be passed for the day.

That House Bill No. 78 be temporarily passed.

That House Bill No. 104 do pass.

That House Bill No. 62 do pass.

That House Bill No. 88 do pass.

That the enacting clause be stricken from House Bill No. 100.
KRUSE, Chairman."

On motion by Kruse, report adopted.

The Speaker: I desire to announce at this time that under the Resolution introduced by Ragen of Lewis and Clark on yesterday, Ragen of Lewis and Clark and Marshall of Missoula are appointed a committee of two to confer with the county commissioners of Lewis and Clark County regarding the property referred to in the resolution.

Besancon: Move the House now recess until 1:30 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 1:30 p. m.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce Bills as follows:

By Committee on Economy: A Bill for an Act Entitled: "An Act to authorize the transportation of certain dependent children for whom proper homes are offered outside the state, and making an appropriation therefor."

By Anderson and Setzer: A Bill for an Act Entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-First Legislative Assembly, relating to notice of application for tax deeds; and repealing all Acts in conflict herewith."

By Mulholland: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in retail stores; persons employed in delivering goods sold in such stores; persons employed in wholesale warehouses used for supplying retail establishments with goods, and persons employed in delivering goods to retail establishments from such wholesale warehouses, and providing penalties for a violation thereof."

By Committee on Fish and Game: A Bill for an Act Entitled: "An Act to amend Sections 3676 and 3679 of the Revised Codes of Montana for 1921 relating to the creating of fish and game preserves, refuges, sanctuaries, rest grounds, closed districts and closed seasons, prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof."

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 4531, 4532, and 4533 of Chapter 91 of the Session Laws of Montana 1921, relating to the application of destitute persons seeking relief, the residence of such persons and providing temporary relief to non-residents, and repealing all Acts and parts of Acts in conflict herewith."

By Woodcock and Blankenbaker: A Bill for an Act Entitled: "An Act to amend Section 4453 of the Revised Codes of Montana, 1921, relating to qualifications of county commissioners."

By Committee on Judiciary: A Bill for an Act Entitled: "An Act to amend Section 2110, Montana Revised Codes 1921, providing for disposition of proceeds of taxes collected under the provisions of Chapter 16 Montana Revised Codes 1921."

By Committee on Judiciary: A Bill for an Act Entitled: "An Act to amend Section 7725 of the Revised Codes of the State of Montana of 1921, relating to the statutory rate of interest and fixing the same, when not otherwise provided by contract, at six per cent instead of eight per cent.

By Committee on Judiciary: A Bill for an Act Entitled: "An Act to amend Section 7729 of the Revised Codes of the State of Montana of 1921, relating to the rate of interest on judgments and fixing the same as six per cent instead of eight per cent."

By Beadle: A Bill for an Act Entitled: "An Act to amend Section 9470 of the Revised Codes of Montana of 1921 relating to the commitment of children to orphans' home to place children in private homes or other institutions and providing for the payment of keeping such children."

By Duffy: A Bill for an Act Entitled: "An Act to amend Section 5660 of the Revised Codes of the State of Montana for 1921, relating to the appointment of a commission known as the Veterans Welfare Commission and fixing salaries, designating the qualifications, compensations and duties of said commission."

By White and Ragen: A Bill for an Act Entitled: "An Act to amend section 9807 of the Revised Codes of Montana, 1921, relating to security or costs in civil actions."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 7, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:50 o'clock a. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills No. 114, 128, beg leave to report that the same have this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 94, introduced by Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Sections 3142 and 3149 of the Revised Codes of Montana of 1921 relating to the qualifications of persons practicing chiropractic, the collection of renewal license fees and the regulation of the practice of chiropractic," respectfully report and recommend as follows:

That House Bill No. 94 be amended as follows: Page 1, line 20, after the word "years," strike out the phrase "of not less than a total of 3780 class hours," and insert in lieu thereof the phrase "of thirty-six (36) months to include a minimum of 3780 class hours," and as so amended, do pass.

DOE, Chairman."

On motion of Doe, report adopted.

"Mr. Speaker: We, a majority of your Committee on Education, having had under consideration Sub. House Bill No. 27: A Bill for an Act entitled: "An Act to amend Section 13 of Chapter 146 of the Session Laws

of the Twenty-Second Legislative Assembly of Montana, 1931, relating to consideration of budgets." Respectfully report and recommend as follows:

That Substitute House Bill No. 27 do not pass.

REARDON (Deer Lodge)
CUSKER,
LEWIS,
MOSS,
ROLPH,
ROLL.

"Mr. Speaker: We, a minority of your Committee on Education, having had under consideration Sub House Bill No. 27: A Bill for an Act Entitled: "An Act to amend Section 13 of Chapter 146 of the Session Law of the Twenty-Second Legislative Assembly of Montana, 1931, relating to consideration of budgets." Respectfully report and recommend as follows:

That Substitute House Bill No. 27 do pass.

FREED,
WOODCOCK,
LOTT,
MARSHALL,
PIERSON,
LOVE.

Reardon (Deer Lodge): Move the majority report be adopted. Seconded.

Watson (Meagher): As a substitute motion, move the adoption of the minority report. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for consideration of Special Orders and General Orders, under the rules as adopted January 31st. Seconded. Carried.

Kruse of Garfield in the Chair.

Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 28, 87, H. J. M. No. 3, House Bill No. 99, 97, 75, S. B. No. 35, H. B. No. 107, 118, 66, 96, 126, 117, 123 and 95, respectfully report and recommend as follows:

That H. B. No. 28 be amended, in Section 6, line 3, between the numerals 1929, and the word "and" by inserting the word "be" and a comma (,), and that as so amended the bill do pass.

That H. B. No. 87 do pass.

That H. J. M. No. 3 be amended as follows: Amend the title by striking out the period after the word "law," and adding the words "and until such enactment, urging the passage of United States Senate Bill No. 5125 known as the LaFollette-Costigan Emergency Relief Bill"; amend by striking out in line 12 the period after the word "situation," and adding the words "and until such enactment, should pass United States Senate Bill No. 5125 known as the LaFollette-Costigan Emergency Relief Bill," and that as so amended the Memorial do pass.

That H. B. No. 99 do pass.

That H. B. No. 97 do pass.

That H. B. No. 75 do pass.

That S. B. No. 35 be taken from General Orders and re-referred to the Committee on Townships and Counties.

That H. B. No. 107 be passed for the day.

That H. B. No. 118 do pass.

That H. B. No. 66 do pass.

That H. B. No. 96 be amended as follows: Section 2 by striking out n line 33 of the printed bill the words "State Examiner's fund for the use and benefit of the" and that as so amended the bill do pass.

That H. B. No. 126 do pass.

That H. B. No. 117 be re-referred to Committee on Affairs of Cities.

That H. B. No. 123 do pass.

That H. B. No. 95 do pass.

KRUSE, Chairman."

On motion by Kruse, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

Haight: We, your Committee on Economy ask unanimous consent to ntroduce a bill without previous notice, and request that it be read and eferred to the Committee on Revenue and Taxation. By unanimous con- ent, permission granted.

H. B. No. 154, by Committee on Economy: A Bill for an Act Entitled: "An Act requiring every person, firm or corporation engaged in he business of printing and publishing a newspaper within this state o pay an annual license; and providing for the distribution of the fund reated by such license fees." Committee on Revenue and Taxation.

NOTICES

Authors gave notice that they would on tomorrow or some subsequent lay introduce Bills as follows:

By Pilgeram: A Bill for an Act Entitled: "An Act to amend Section 1973 of the Revised Codes of Montana of 1921 permitting cities to be re- duced in class or to be reduced to towns."

By Committee on Affairs of Cities: A Bill for an Act Entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the laws of 1923, and by Chapter 88 of the aws of 1927 and as amended by Chapter 182 of the laws of 1929, relating o registration fees for motor vehicles, trailers, semi-trailers and dealers n motor vehicles or automobile accessories, the distribution of the revenue eceived from registration fees; specifying the purposes for which the ame may be expended, providing for the disbursement thereof, providing enalties for the violation thereof and repealing all Acts and parts of Acts n conflict herewith."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Privileges and Elections, hav- ng had under consideration Senate Bill No. 6, introduced by Garber: A ill for an Act Entitled: "An Act to amend Chapter 51 of Part III of the olitical Code of the Revised Codes of the State of Montana of 1921, re- ating to the nomination of candidates by convention or primary meeting r by electors, by adding a new section thereto, to be known as Section 118-A, providing for the payment of a fee for filing certificates of nomina- ion of candidates nominated under the provisions of this chapter," re- spectfully report and recommend as follows:

That Senate Bill No. 6, be not concurred in.

CHAPMAN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 132: A Bill for an Act Entitled: "An Act creating a highway patrol for the State of Montana under the control and supervision of the State Highway Commission, providing for its organization, regulation, powers and duties, and providing a fund for the maintenance of such patrol, and providing penalties for the violation of this Act." Respectfully report and recommend as follows: That House Bill No. 132 be amended to read as follows:

(1) In Section 1 of the original bill, after the word "annum" in line 20 and all of lines 21, 22, 23 and parts of 24, ending with (\$2400), the following be stricken: "A Chief of the Highway Patrol shall be appointed by the State Highway Commission, with the approval of the Governor, and he shall receive an annual salary not to exceed twenty-four hundred dollars (\$2400.00)."

(2) In Section 7, line 9 of the original bill after the word "State" the following be stricken; "exclusive of incorporated municipalities," and as amended the bill do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 33: A Bill for an Act Entitled: "An Act to amend Section 4058 of the Revised Codes of Montana, 1921, defining the term "real estate broker," respectfully report and recommend as follows: That S. B. No. 33 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 19: A Bill for an Act Entitled: "An Act to define nepotism and to prevent such practice in the State of Montana and prescribing the penalties thereof." Respectfully report and recommend that S. B. No. 19 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties Having had under consideration S. B. No. 50, introduced by Pauline: A Bill for an Act Entitled: "An Act relating to the letting of contracts by boards of county commissioners for the purchase of automobiles, trucks, vehicles, road, highway or other machinery, apparatus, appliances, equipment, materials and supplies." Respectfully report and recommend as follows: That S. B. No. 50 be concurred in.

BYRNE, Chairman.

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 134: A Bill for an Act Entitled: "An Act to amend Section 3545 of the Revised Codes of Montana of 1921, relating to penalties for violation of the coal mining laws of the State of Montana," respectfully report and recommend that H. B. No. 134 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration H. B. No. 72: A Bill for an Act Entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of justices of the peace," respectfully report and recommend as follows: That H. B. No. 72 be amended as follows:

In line 4 of the printed bill by striking out the word "in," and inserting the words "of organized," and striking out the words "having a population," and all of lines five and six, before the word "provided," of the printed bill and inserting in lieu thereof the following: "Shall receive annual salaries payable monthly from the treasury of the county in amounts according to the population of the largest incorporated city lying wholly within the boundaries thereof as follows:

When the people of such city number not less than ten thousand and less than fourteen thousand, twelve hundred dollars per annum; when not less than fourteen thousand and less than twenty-five thousand people, fifteen hundred dollars per annum; when not less than twenty-five thousand but less than thirty-five thousand people, two thousand dollars per annum.

Strike out all of line 8 following the word "above," and all of line 9 and that portion of line 10 including the word "treasurer" and before the word "and," and when so amended, recommend that same do pass.

HAIGHT, Chairman.

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 43: A Bill for an Act Entitled: "An Act providing for the maximum legal rate of interest effective in Montana; defining usurious interest contracts; providing for the cancellation of said contracts; providing for building association contracts; defining salary and fixing the legal rate of interest thereon; prescribing penalties for the violation of the provisions of this act; and repealing Section 7725, 7726, 7727 and 7728 of the Revised Codes of Montana 1921," respectfully report and recommend as follows:

That H. B. No. 43 do not pass.

GROENE, Chairman."

Besancon: Move that the House now adjourn until 10:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-FOURTH DAY

House of Representatives,
Helena, Montana, February 4, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Duffy, Setzer and Sullivan, excused.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-Second Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

COMMUNICATIONS AND PETITIONS

The following communication from the Lewis and Clark County Bar Association was read, and referred to the Committee on Judiciary.

To the Speaker and
House of Representatives:

WHEREAS, the codification of the statutory law of the State of Montana is the Revised Codes of Montana of 1921; and

WHEREAS, since the compilation of said Codes there have been or will have been held when the twenty-third session of the Legislative Assembly of the State of Montana is concluded, six sessions of said Legislative Assembly at which several thousand original, amendatory and repealing acts have been enacted; and

WHEREAS, the present statutory law of the State is no longer to be substantially found in the Revised Codes of Montana of 1921, a large part of the provisions of which have been amended and re-amended or repealed directly or by implication by the numerous acts enacted at the last six sessions of the legislature; and

WHEREAS, it is extremely difficult for the people of the State of Montana, their courts, officers and attorneys, to advise themselves with certainty as to the existing statutory laws of the State, due to the mass of subsequent enactments which effect not only the code provisions, but provisions of the enactments themselves, and due to the further fact that the relation of these acts to each other and to the code provisions is difficult of ascertainment and liable to remain undiscovered even after diligent search; and

WHEREAS, we believe that the enactment of laws places the people of the state in a hazardous condition with respect to their lives, liberty and property, unless those laws are kept in such condition that they may be readily ascertained and understood by those persons who are affected by them;

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Bar Association that it is, in our judgment, necessary that a new codification of the laws of the State of Montana, be made and that such codification include the session laws of the Twenty-third Legislative Assembly of the State of Montana, and that we recommend to the twenty-third Legislative Assembly of the State of Montana that it enact the necessary legislation and make the necessary appropriation for this purpose; and

BE IT FURTHER RESOLVED, That the President and Secretary of this association be authorized and instructed to forward a copy of this Resolution to the President of the Senate and to the Speaker of the House of Representatives of the State of Montana.

HUGH R. ADAIR, President.
Lewis and Clark County Bar Association.

The following letter was read, from the State Board of Equalization which was accompanied by the report asked for by Daugherty.

Helena, February 3, 1933.

Honorable House of Representatives of the
Twenty-Third Legislative Assembly.
Helena, Montana.

Gentlemen:

In compliance with House Resolution introduced by Daugherty, we have the honor to furnish you with the names and the assessed valuations placed thereon of the property of the various public utilities as determined by this board for the year 1932. A list of such utilities and the 1932 assessments thereof are hereto attached and marked Exhibit A.

Upon receipt of your resolution we forwarded to the Board of Railroad Commissioners a request for the information required by you, a copy of which is hereto attached marked "Exhibit B." In compliance with this request the Board of Railroad Commissioners furnished us with the information you desired, the original of which we are attaching hereto marked Exhibit C.

We take notice of the statement referred to in your Resolution of the Hon. Judge George M. Bourquin in the Great Falls gas rate case, and while such statement may have applied to the case before the court, it is seemingly contrary to the overwhelming weight of authority.

The most recent tax decision upon this subject is the case of the Northern Pacific Railway Company v. Adams County, decided July 9, 1932, and reported in Volume 1, Number 2 of the Federal Supplement wherein Judge Webster held:

"In ascertaining a basis for a rate structure, the purpose is to fix a standard of value upon which the corporation is entitled to earn a fair return, if it can. This, however, does not establish the value of the utility of the property. It is not the taxable value of the property, unless the structure authorized is put into successful operation. When actual results equal permissible results, then, and then only, is the rate basis the actual and taxable value of the property. This is clearly pointed out by the Circuit Court of Appeals for the Eighth Circuit in *Temmer v. Denver Tramway Co.*, 18 F. (2d) 226, 228; "an examination of the constituent elements which go to make up value for the purpose of determining a rate of fares to be charged in order to obviate confiscation discloses, aside from the practical difficulties of the situation, that the rating base value furnishes no proper or legal criterion on which to bottom actual value."

Again at page 229 of 18 F. (2d) it is said: "But nevertheless these differences of constituent elements illustrate the fairly clear distinction existing, between value for rate-making purposes, and fair, market, or actual value, and we think show that the former does not necessarily bear any conclusive, legal relation to the latter."

Respectfully submitted this third day of February, 1933.

STATE BOARD OF EQUALIZATION,
JAS. H. STEWART,
Chairman.

Besancon: I move that two hundred copies of the Resolution by the gentleman from Fallon and the communications from the State Board of Equalization and the Railroad and Public Service Commission be printed for the use of the members of the House and Senate, and that the entire matter be referred to the House Committee on Revenue and Taxation. Seconded. Carried.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce Bills as follows:

By Blankenbaker and Woodcock: A Bill for an Act Entitled: "An Act to amend Section 3579 of the Revised Codes of Montana of 1921, as amended by Chapter 154 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana relative to charges by public warehousemen for the handling or storage of grain."

By Whaley: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927 relating to gasoline exempted from payment of the gasoline tax."

By Ferry: A Bill for an Act Entitled: "An Act authorizing the establishment of liens on monuments and markers; providing for the enforcement of the same and the duties of officers of cemeteries and burial grounds in relation thereto."

By Committee on Agriculture: A Bill for an Act Entitled: "An Act to amend Sections 6376, 6381 and 6387 of the Revised Codes of Montana of 1921, relating to co-operative associations."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. Nos. 34, 104, 62, 88 and "

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 32, Sub. 59, 68, 76, 111 and 124, beg leave to report that same have this day been returned from the printer correctly printed

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 65: A Bill for an Act Entitled: "An Act to amend Sections 1757, 1758, 1759 and 1760 Revised Codes of Montana 1911, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1927, Chapters 181 and 182 Session Laws 1929 and Chapter 158 Session Laws 1931, to amend Section 4 of Chapter 158 Session Laws 1931 and to repeal Section 3 of Chapter 158 Session Laws 1931, all relating to the registration of motor vehicles." Respectfully report and recommend as follows: That House Bill No. 65 do not pass, but that Substitute House Bill No. 65: A Bill for an Act Entitled: "An Act to amend Section 1760 Revised Codes of Montana, 1921, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1927, Chapter 182 Session Laws 1929, Montana, to amend Section 4 of Chapter 158 Session Laws 1931 and to repeal Section 3 of Chapter 158 Session Laws 1931, all relating to the registration and registration fees of motor vehicles and dealers in motor vehicles," do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

State of Montana,
Office of the Governor,
Helena, February 3, 1933.

The Speaker,
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 7 'An Act to amend Section 16 of Chapter 57 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the bonds of officers, agents, and employees of building and loan associations.'

J. E. ERICKSON, Governor."

Besancon: Move the communications from the Senate be considered and read at length, and that the Journal so show. Seconded. Carried.

Helena, February 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

- S. B. No. 44, by Husband.
- S. B. No. 47 by Page and Wass.
- S. B. No. 67, by Kemmis.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that House Bill No. 23, by Byrne, was this day recommended for non-concurrence by the Senate Committee on Taxation, report adopted, and it is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 103, by Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 39 of Chapter 148 of the Session Laws of Montana, 1931, relating to the employment and re-employment of a district superintendent of Schools." Referred to Committee on Education.

S. J. M. No. 10, by Husband: A Memorial to the Congress of the United States, urging continuance of established highway federal aid and action upon pending highway authorizations.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following notices of introduction of Bills were this day received:

By Page: A Bill for an Act Entitled: "An Act to regulate the conduct, care and management of county jails; prescribing the duties of the sheriff with reference thereto; providing for the powers and duties of the State Board of Health in connection therewith and further providing that any person engaged in any service in any department of the state, whether appointive or elective, who may be representing the state in his official capacity and away from the department under which he acts, and who is travelling as such representative of the state under the restrictions of S. B. No. 29 may stop, rest, sojourn or sleep in any of the county jails in the State of Montana, upon payment of a fee of not to exceed forty cents, which shall be paid to the sheriff as full compensation therefor."

By Page: A Bill for an Act Entitled: "An Act relating to motion picture films or reels, providing a system of examination, approval and regulation thereof, and to the banners, posters and other like advertising matter used in connection therewith; creating a board of censors; and providing the penalties of the violation of this Act."

By Reed: A Bill for an Act Entitled: "An Act to amend Section 484 of the Revised Codes of the State of Montana of 1921, relating to the duties of the county surveyor, and providing that the inspection of all roads and bridges within the county shall be made by said county surveyor in a sixth, seventh and eighth class counties, and providing for the appointment of such person in those counties where no county surveyor has been elected."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 3, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Taxation: That Substitute for S. B. No. 20, by Committee on Taxation, recommend that said be amended in line 4 of Section printed bill, by striking out the figures, "48", and inserting in lieu thereof the figures, "36"; by striking out the period at the end of line 4 of Section 2 and adding the following: "In addition to the time provided by Section 2201, Revised Codes of Montana 1921"; be amended in lines 1 and 2 of Section 4 by striking out the words, "its passage and approval," and inserting in lieu thereof the words and figures: "November 1st, 1933"; and as so amended, recommend said bill do pass, report adopted.

Committee on Fish and Game: That S. B. No. 45, by Reed, be amended by striking out in Section 1 the following: "To every license, whether issued to a resident, non-resident or alien which authorizes the license to kill a deer or elk in this state, there shall be attached to said license certain tags, coupons or other markers, the form of which shall be prescribed by the State Fish and Game Commission, and when any person shall take or kill a deer or elk under such license such person shall immediately thereafter detach from his license, and attach in plain sight to the carcass of said animal or animals the proper tag, coupon or other marker, which said tag, coupon or other marker shall be kept attached thereto so long as any considerable portion of the carcass remains unconsumed. When the proper tag, coupon or other marker is so attached to the said game so killed, the same may be possessed, used, stored and transported; provided the necessary permit to transport the same accompanies the shipment. To said license to hunt or take elk or deer shall also be attached a card, which said card shall on or before the first day of January of the year following the date of the issuance of said license, be returned by the holder of said license to the Fish and Game Commission and a report made to said commission of the game taken under said license and the place where the same was taken, being the intent of this Act to require every licensee to make said report whether any game was taken under said license or not. It shall be unlawful and a misdemeanor punishable, accordingly for anyone killing a deer or elk under said license, to fail or neglect to attach the tag, coupon or other markers so provided by said license to any deer or elk killed by them immediately after the same had been killed or to fail to keep said tag, coupon or other marker attached to said deer or elk or portions thereof while the same is possessed by him"; and as so amended, recommend said bill do pass, report adopted.

Committee on Counties and Towns: That S. B. No. 68, by Rowland, do pass, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 78, Kane, do pass report adopted.

Committee on Stockgrowing and Grazing: That S. B. No. 92 do pass report adopted.

Committee on Taxation: That H. B. No. 23, by Byrne, be not concurred in, report adopted.

A Majority of Committee on Taxation: That H. B. No. 22, be amended as per attached copy, and as so amended, recommend said bill be concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

(Majority report on H. B. No. 22.)

Mr. President: We, a majority of your Committee on Taxation, having had under consideration House Bill No. 22, being a bill for an Act Entitled: "An Act authorizing the issuance of bonds of the State of Montana to refund indebtedness of said state evidenced by general fund warrants, and providing for the payment thereof." Beg leave to submit a majority report as follows:

That the title thereof be amended to read as follows:

"An Act authorizing the issuance of bonds of the State of Montana to refund indebtedness of said state evidenced by general fund warrants, and providing for the payment thereof."

And further amend by striking out all of Section 3 of the printed bill and inserting in lieu thereof the following:

Section 3. That there shall be and there is hereby levied annually upon all property in the State of Montana subject to taxation, an ad valorem tax on each dollar of the assessed valuation of such property, sufficient in amount to pay the principal and interest on said bonds as the same become due and payable, which tax when collected shall be placed by the State treasurer in a fund to be known as the "Funding Bond Sinking and Interest Fund," and used for the payment of the principal and interest of such bonds and for no other purpose, which tax shall be computed against the different classes of taxable property on the percentage value thereof for taxation purposes as such percentage may be provided by law; provided, however, that the amount of all license taxes due during each fiscal year which are required by law to be deposited to the credit of the general fund of the State, other than the gasoline refiners', distributors' or dealer's license taxes, shall beginning with the first day of July of each fiscal year, be set aside and kept by the State Treasurer in a special and separate fund and applied in payment of the principal and interest of such bonds as such principal and interest become due and payable during the next following fiscal year or within thirty days after the end thereof; and provide further that if during any such fiscal year, and before the end thereof, there shall accumulate in such special and separate fund from such license moneys an amount sufficient to pay all such interest and principal becoming due and payable during the next following fiscal year and within thirty days thereafter, then during the remainder of such fiscal year all such license moneys thereafter received and collected by the State Treasurer during said fiscal year shall be deposited to the credit of the general fund of the State. The State Board of Equalization shall, between the first and second Monday in August, 1933, calculate and determine the rate of tax levy required to produce the amount necessary to pay the interest becoming due on such bonds during the then current fiscal year, and within thirty days thereafter; and said State Board of Equalization shall thereafter and between the first and second Monday in August in each year, ascertain and determine the amount required to pay the said principal and interest thereafter becoming due and payable during the then current fiscal year, and within thirty days thereafter, and the amount of such license moneys standing to the credit of such special and separate fund at the close of business on the first day of July immediately preceding, and applicable to the payment of such principal and interest of such bonds, and after deducting such amount from the amount required to be paid on such principal and interest during the then current fiscal year and within thirty days thereafter, shall calculate, determine and fix a rate

of tax levy sufficient to produce the balance of the amount, if any, required to pay such principal and interest becoming due and payable during such fiscal year and within thirty days thereafter. The State Board of Equalization shall annually and before the second Monday in August certify such tax levy as calculated and determined by such Board to the county clerks of the several counties of the State and such county clerks shall compute such taxes and enter the same on the assessment books, and such taxes shall be collected and transmitted by the County Treasurer in the same manner as other taxes for state purposes are collected and transmitted.

That Section 4 be amended by striking out all of Section 4, and that Section 5 be amended as follows: By striking after the word, "however," in line 7, page 2, printed bill, the remainder of the sentence and substitute therefor the following: "That said bonds or any part thereof, may be exchanged at par plus accrued interest for said warrants, or any part thereof, at par with accrued interest." And further amending; Section 5 by numbering same Section 4.

That Section 6 be amended by numbering same Section 5; and that Section 7 be amended by numbering same Section 6; and that Section 8 be amended by numbering same Section 7; and that Section 9 be amended by numbering same Section 8, and as so amended the majority of your committee respectfully recommends that same be concurred in.

RUFFCORN,
KELSEY,
HOLTON,
SPARLING,
ANGVICK.

MOTIONS AND RESOLUTIONS

Byrne: Move that Senate Bill No. 7 be withdrawn from the Committee on Townships and Counties, and referred to the Committee on Affairs of Cities. Seconded. Carried.

Breitenstein: Move that House Bill No. 77 be taken from General Orders and re-referred to the Committee on Judiciary. Seconded. Carried.

On motion, Sullivan of Silver Bow was excused until Monday.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bills were this day introduced, read first and second times and referred to committees:

S. B. No. 47, introduced by Page and Wass: A Bill for an Act Entitled: "An Act to amend Section 59 of Chapter 39 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931 relating to the regulations covering the purchase of milk and cream for the manufacture of dairy products or for commercial sweet creams." Committee on Dairies and Dairyng.

S. B. No. 44, introduced by Husband: A Bill for an Act Entitled: "An Act to amend Section 12288 of the Revised Codes of Montana for 1921, relating to the appointment, salary and duties of probation officers." Committee on Judiciary.

S. B. No. 67, introduced by Kemmis: A Bill for an Act Entitled: "An Act legalizing and validating any bonds issued or hereafter to be issued by any county of this state by authority of any election held in such county for the purpose of creating or increasing any county indebtedness where such election was held and votes canvassed and the election declared

carried as authorized by law prior to the enactment of Chapter 188 of the Session Laws of 1931, and where no resolution was adopted by the board of county commissioners of such county directing the issuance of said bonds prior to the 5th day of October, 1932." Committee on Judiciary.

H. B. No. 155, introduced by Beadle, O'Connell, Mulholland, Freudenstein, Goodwin, McDermott: A Bill for an Act Entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section four (4) of Article eighteen (18) of the constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments." Committee on Constitutional Amendments.

H. B. No. 156, introduced by Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1035 of the Revised Codes of Montana of 1921 relating to joint school districts, their formation, control and discontinuance." Committee on Education.

H. B. No. 157, introduced by Committee on Economy: A Bill for an Act Entitled: "An Act to amend Sections 4531, 4532 and 4533 of Chapter 91 of the Session Laws of Montana 1931, relating to the application of destitute persons seeking relief, the residence of such persons and providing temporary relief to non-residents, and repealing all Acts and parts of Acts in conflict herewith." Committee on Economy.

H. B. No. 158, introduced by Committee on Judiciary: A Bill for an Act Entitled: "An Act to amend Section 2110, Montana Revised Codes 1921, providing for disposition of proceeds of taxes collected under the provisions of Chapter 165, Montana Revised Codes 1921." Committee on Judiciary.

H. B. No. 159, introduced by White and Ragen: A Bill for an Act Entitled: "An Act to amend Section 9807 of the Revised Codes of Montana, 1921, relating to security for costs in civil actions." Committee on Judiciary.

H. B. No. 160, introduced by Duffy: A Bill for an Act Entitled: "An Act to amend Section 5660 of the Revised Codes of the State of Montana for 1921, relating to the appointment of a commission known as the Veterans Welfare Commission and fixing salaries, designating the qualifications, compensations and duties of said commission." Committee on Military Affairs.

H. B. No. 161, introduced by Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act to amend Sections 2296, 2297 and 2303, and to repeal Section 2298, Montana Revised Codes of 1921; to provide a license tax upon corporations organized under the laws of the State of Montana, or organized under the laws of any other state and doing business within this state; providing a method of arriving at net income, allowing certain deductions and exempting certain corporations from said tax; to provide for allocation of income to Montana of business done by corporations both within and without the state; to provide for the necessary enforcement and collection of said tax, and penalties for failure to comply herewith, and granting powers to the State Board of Equalization to make rules and regulations relative thereto, and repealing all Acts and parts of Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 162, introduced by Anderson and Setzer: A Bill for an Act Entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-first Legislative Assembly, relating to notice of application for tax deeds; and repealing all Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 163, introduced by Beadle: A Bill for an Act Entitled: "An Act to amend Section 10470 of the Revised Codes of Montana of 1921 relating to the commitment of children to orphans' home or other disposition of children and permitting said orphans' home to place children in private homes or other institutions and providing for the payment of keeping such children." Committee on Public Charities and Reforms.

The following bill was this day introduced, read first time and second time at length, and referred to the Committee on Appropriations:

H. B. No. 164, introduced by Committee on Economy: A Bill for a Act Entitled: "An Act to authorize the transportation of certain dependent children for whom proper homes are offered outside the state, and making an appropriation therefor." Committee on Appropriations.

The following bill was this day introduced, read first and second times and referred to Committee on Fish and Game:

H. B. No. 165, introduced by Committee on Fish and Game: A Bill for an Act Entitled: "An Act to amend Sections 3676 and 3679 of the Revised Codes of Montana of 1921 relating to the creating of Fish and Game Preserves, refuges, sanctuaries, rest grounds, closed districts and closed seasons, prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof." Committee on Fish and Game.

THIRD READING OF HOUSE BILLS

Besancon: Move that unanimous consent of the House be given to the reading of the bills by title, history and section numbers only. No objection.

H. B. No. 34, introduced by Holecek, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Shannon Snidow, Somerville, Spangler, Spaulding, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigand, Woodcock, Mr. Speaker. Total 91.

Noes: None.

Absent and not voting: Annin, Cusker, Duffy, Harrington, Manning, Nutting, Porter, Setzer, Sullivan, White. Total 10.

The Speaker: Ninety-one have voted "aye", none have voted "no". House Bill No. 34 has passed the House.

House Bill No. 104, introduced by the Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Snidow.

low, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Love, Roll, Rolph. Total 3.

Absent and not voting: Annin, Cusker, Doran, Duffy, Fowler, Hagerty, Harrington, Kruse, Nutting, Setzer, Shannon, Sullivan, White. Total 13.

The Speaker: Eighty-five have voted "aye", 3 have voted "no"; House Bill No. 104 has passed the House.

House Bill No. 62, introduced by Ralston, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Knowles, Quamme, Rolph, Stevens (Wheatland). Total 4.

Absent and not voting: Annin, Cusker, Doran, Duffy, Harrington, Kruse, Nutting, Setzer, Shannon, Sullivan, Watson (Meagher). Total 11.

The Speaker: Eighty-six have voted "aye", 4 have voted "no"; House Bill No. 62 has passed the House.

House Bill No. 88, introduced by Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Jensen, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nass, O'Connell, Parker (Flathead), Pierson, Pilgeram, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Ueland, Wigal, Mr. Speaker. Total 61.

Noes: Balgord, Doe, Freed, Givens, Green (Dawson), Hilger, Holecek, Knowles, Kuhl, Love, McElwain, Manning, Marshall, Miller (Big Horn), Nelstead, O'Shea, Parker (Broadwater), Porter, Quamme, Ragen, Replogle, Shannon, Stevens (Wheatland), Strange, Trenne, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Woodcock. Total 31.

Absent and not voting: Annin, Cusker, Doran, Duffy, Harrington, Kruse, Nutting, Setzer, Sullivan. Total 9.

The Speaker: Sixty-one have voted "aye", 31 have voted "no"; House Bill No. 88 has passed the House.

H. B. No. 4, introduced by Nass, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Chapman, Conner, Daugherty, Doe, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Good-

win, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parke (Broadwater), Pierson, Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Whaley, Whitwial, Woodcock. Total 72.

Noes: Arnold, Breitenstein, Campbell, Groene (Fergus), Jensen, Knowles, McDermott, Mason, Moss, Pilgeram, Ragen, Rearden (Cascade), Roll, Rolph, Spangler, Stevens (Wheatland), Waite, Watson (Meagher), Mr. Speaker. Total 19.

Absent and not voting: Annin, Cusker, Doran, Duffy, Ferry, Harrington, Kruse, Setzer, Shannon, Sullivan. Total 10.

The Speaker: Seventy-two have voted "aye", 19 have voted "no". House Bill No. 4 has passed the House.

Besancon: Move the House now recess until 1:30 this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed, at 1:30 p. m. pursuant to recess.
Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce Bills as follows:

By Anderson and Ueland: A Bill for an Act Entitled: "An Act to amend Section 2231, Revised Codes, Montana, in relation to assessment and sale of real estate for taxes."

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Chapter 21, Part III of the political code of the Revised Codes of the State of Montana, 1921, by adding thereto an additional Section known as Section 309a providing for consolidation of the office of the State Accountant with the office of the Board of Examiners."

By Anderson: A Joint Resolution requesting the State Board of Equalization to prepare and present to the next Legislative Assembly, a complete new tax code, covering the assessment and collection of all taxes including the taking of tax deeds when necessary.

By Committee on Highways: A Bill for an Act Entitled: "An Act relating to the age of drivers of motor vehicles operating for profit and providing the number of hours that the operator of such vehicles may remain on duty in any twenty-four hour period, and penalty for violation thereof."

By Committee on Highways: A Bill for an Act Entitled: "An Act providing for the regulation by the Board of Railroad Commissioners of the State of Montana of the operation and rates of class "C" motor carrier as defined by chapter 184 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana."

By Committee on Highways: A Bill for an Act Entitled: "An Act requiring every 'private motor carrier of property' as defined herein to obtain a permit to operate upon any public highway of the State of Montana from the Board of Railroad Commissioners of the State of Montana providing for the procedure to obtain such a permit and the terms thereof fee therefor and penalties for a violation thereof."

By Committee on Public Utilities and State Commissions: A Bill for an Act Entitled: "An Act to amend Sections 3891, 3895, 3896, 3897, 3899 and 3906 of the Revised Codes of the State of Montana, and to enact Section

3906A and 3906B as additional sections of Chapter 260, part 3 of the political codes of the State of Montana of 1921, relating to the filing of schedules of rates, the inquiry into, and investigation of management of public utilities, making unnecessary the permanent employment of an engineer, alteration of rates and hearings thereon, fixing of rates, keeping of records, review of decisions, and assessment of costs."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 17, by Groene: A Bill for an Act Entitled: "An Act permitting owners of real estate deprived of their property by tax deed to re-purchase their property and prescribing the terms and conditions thereof and amending Section 2212 of the Revised Codes of Montana, 1921, and repealing all Acts and parts of Acts in conflict herewith."

House Bill No. 70, by Stevens: A Bill for an Act Entitled: "An Act to amend Section 2201 of the Revised Codes of Montana of 1921, relating to the time of redemption from tax sale."

House Bill No. 71, by Ueland: A Bill for an Act Entitled: "An Act to amend Section 2201 of the Revised Codes of Montana of 1921, and Sections 2214 and 2215 of the Revised Codes of Montana, 1927, as amended by Chapter 85 of the Session Laws of 1927, extending the time of redemption of property sold for delinquent taxes and extending the period of redemption in Acts commenced for the validation of tax deeds and repealing all Acts and parts of Acts in conflict therewith."

House Bill No. 136, by Anderson and Setzer: A Bill for an Act Entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-First Legislative Assembly, and to amend Sections 2210 and 2233 of the Revised Codes of Montana for 1921, relating to notice of application for tax deed; redemption from tax sale; redemption of property sold to county and repealing all Acts in conflict herewith." Respectfully report and recommend as follows: That House Bills 17, 70, 71 and 136 do not pass, but that Substitute House Bill No. 70, by Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act to amend Section 2201 of the Revised Codes of Montana of 1921, relating to the time of redemption from tax sale," do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

MOTIONS AND RESOLUTIONS

Groene: Move that consideration of H. B. No. 76 be passed for the day. Seconded. Carried.

Beadle: Move that H. B. No. 99 be recalled from the Engrossing Committee and referred to the Committee on Labor. Seconded. Carried.

Watson (Meagher): Move that Senate Bill No. 6 be recalled from the Senate and brought back to the House and be reconsidered. Seconded. Carried.

At the request of Porter, Committee on Horticulture excused to attend public hearing.

CONSIDERATION OF GENERAL ORDERS

Besançon: Move that the House now resolve itself into Committee of the Whole for the consideration of General Orders under the same rules as adopted on January 31, 1933. Seconded. Carried.

Wigal in the Chair.

Committee arose.

House resumed. Speaker Pro Tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 78, 107, 57, Sub. H. B. No. 74, H. B. No. 9, 128, 114, S. B. No. 33, S. B. Nos. 19 and 50, Sub. H. B. No. 59, H. B. Nos. 111, 32, 68, 124, 72, S. A. to H. B. 8, respectfully report and recommend as follows:

That House Bill No. 78 be amended as follows: By striking out all of the title beginning with the word "be" in line 5 of the printed bill, and by inserting after the enacting clause the following: "That Chapter 121 of the Session Laws of the 21st Legislative Assembly, be, and the same is hereby amended to read as follows; and that as so amended, the bill do pass.

That House Bill No. 107 do pass.

That House Bill No. 57 do pass.

That Substitute House Bill No. 74 do pass.

That House Bill No. 91 do pass.

That House Bill No. 128 do pass.

That House Bill No. 114 do pass.

That Senate Bill No. 33 be concurred in.

That Senate Bill No. 19 be concurred in.

That Senate Bill No. 50 be concurred in.

That Substitute House Bill No. 59 be re-referred to the Committee on Judiciary.

That House Bill No. 111 be amended by the addition of a new Section 7 reading as follows: "Section 7. Appropriations hereinabove provided for shall be deemed and held valid notwithstanding the provisions of the budget act." Also that the Section 7 in the Bill be amended to read Section 8, and as so amended the bill do pass.

That H. B. No. 32 be passed for the day.

That H. B. No. 68 be passed for the day.

That H. B. No. 124 do pass.

That H. B. No. 72 do pass and be reprinted.

That the Senate Amendments to House Bill No. 8 be concurred in.

WIGAL, Chairman."

On motion by Wigal, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day introduce bills as follows:

By Committee on Labor: A Bill for an Act Entitled: "An Act to amend Section 831 of the Revised Codes of the State of Montana, 1921, relating to the appointment of members of the Board of Education."

By Marshall: A Bill for an Act Entitled: "An Act providing for the payment of filing fees by candidates for mayor and councilmen in cities operating under the commission form of government."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 140, 94, Sub. 27, 101 and 89, and S. B. No. 1, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration H. B. No. 150, introduced by O'Shea: A Bill for an Act Entitled: "An Act permitting Charles Magelo of Musselshell county, Montana, to file a claim for compensation for alleged industrial

accident, injury and disability after expiration of six months from the date of the happening of the alleged accident, injury and disability and permitting notice thereof to be deemed given," respectfully report and recommend as follows: That House Bill No. 150 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration H. B. No. 143, introduced by Mason: A Bill for an Act Entitled: "An Act permitting Mrs. Mary Chisholm of Lewis and Clark County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of happening of alleged accident. Respectfully report and recommend as follows: That House Bill No. 143 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 130: A Bill for an Act Entitled: "An Act to amend Sections 1135, 1136, 1137, 1139 and 1140 of the Revised Codes of Montana of 1921, relating to public schools, the compulsory attendance of children, the employment of children during school sessions, the appointment, powers and duties of truant officers, the schooling and relief of pauper children, the prosecution of truants, parents, guardians and employers for violation of the provisions of said sections and providing penalties therefor," respectfully report and recommend as follows: That House Bill No. 130 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was this day introduced, read first and second times, and referred to committee:

H. B. No. 166, introduced by Mulholland: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in retail stores; persons employed in delivering goods sold in such store; persons employed in wholesale warehouses used for supplying retail establishments with goods, and persons employed in delivering goods to retail establishments from such wholesale warehouses; and providing penalties for a violation thereof." Committee on Labor.

THIRD READING OF SENATE BILLS

Senate Bill No. 33, introduced by Parkin and MacGivra, having been read three several times, title and history agreed to was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Hilger, Holcek, Jensen, Knowles, Kruse, Kuhl, Larsen, Logan, Love, McCarvel, McDermott, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ralston, Rear-

den (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Arnold. Total 1.

Absent and not voting: Annin, Balgord, Bjorneby, Daughtery, Duff, Ferry, Groene (Fergus), Harlen, Harrington, Lewis, Lott, McElwain, Manning, Nutting, Porter, Ragen, Rearden (Cascade), Roll, Setzer, Strang, Sullivan. Total 21.

The Speaker: Seventy-nine have voted "aye", 1 has voted "no". Senate Bill No. 33 has been concurred in by the House.

Senate Bill No. 19, introduced by Kaulbach, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Beadle, Besancon, Blankenbaker, Byrne, Campbell, Chapman, Conner, Doe, Doran, Ecton, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Haight, Hilger, Holecek, Knowles, Krus, Logan, Love, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lircoln), Moss, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parke (Broadwater), Pilgeram, Quamme, Ralston, Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Somerville, Spangler, Sparling, Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 58.

Noes: Abrahamson, Arnold, Ballard, Cusker, Findlater, Freudensteir, Green, (Dawson), Hagerty, Jensen, Kuhl, Larsen, Lewis, McCarvel, McDermott, Metlen, Mulholland, Pierson, Replogle, Shannon, Snidow, Stephen (McCone), Stevens (Wheatland). Total 23.

Absent and not voting: Annin, Balgord, Bjorneby, Breitensteir, Daugherty, Duffy, Ferry, Groene (Fergus), Harlen, Harrington, Lott, McElwain, Manning, Nutting, Porter, Ragen, Rearden (Cascade), Roll, Setzer, Strange, Sullivan. Total 21.

The Speaker: Fifty-eight have voted "aye", 22 have voted "no". Senate Bill No. 19 has been concurred in by the House.

Senate Bill No. 50, introduced by Pauline, having been read three several times, titled and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Arnold, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Hilger, Kruse, Lewis, Love, McCarvel, McDermott, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 69.

Noes: Abrahamson, Haight, Holecek, Jensen, Kuhl, Larsen, Miles, O'Shea, Waite. Total 9.

Absent and not voting: Annin, Balgord, Bjorneby, Daugherty, Duffy, Ferry, Groene (Fergus), Harlen, Harrington, Knowles, Logan, Lott, McElwain, Manning, Nutting, Porter, Ragen, Rearden (Cascade), Roll, Setzer, Shannon, Strange, Sullivan. Total 23.

The Speaker: Sixty-nine have voted "aye", 9 have voted "no"; Senate Bill No. 50 has been concurred in by the House.

Senate amendments to House Bill No. 8, having been read three several times, title and history agreed to, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecsek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mullolland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Snidow, Somerville, Spangler, Spurling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal Woodcock, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Annin, Cusker, Duffy, Groene (Fergus), Harrington, Knowles, Lott, McElwain, Nutting, Parker (Broadwater), Porter, Roll, Setzer, Shannon, Strange, Sullivan. Total 16.

The Speaker: Eighty-five have voted "aye," none have voted "no"; Senate Amendments to House Bill No. 8 have been concurred in by the House.

Byrne: Committee on Townships and Counties desire more time on House Bill No. 56. Without objection, request granted.

O'Connell: Committee on Constitutional Amendments desire more time for consideration of the bills in that committee. Without objection, request was granted.

Besancon: Move the House adjourn until 2:00 o'clock p. m. Monday, February 6th. Seconded. Carried.

D. A. DELLWO,
Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-SIXTH DAY

House of Representatives,
Helena, Montana, February 6, 1933.

House convened, pursuant to adjournment, at 2:00 o'clock p. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Duffy, Setzer.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-third Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day introduce bills as follows:

By Pierson: A Bill for an Act Entitled: "An Act to repeal Section 4549 of the Revised Codes of Montana of 1921, and to provide for the care and use and disposition of county fair property.

By Nutting: A Bill for an Act Entitled: "An Act to amend Section 2839 of the Revised Codes of Montana of 1921, authorizing injured workmen, who has elected to come under the terms of the workmen's compensation Act, to bring action against persons or corporations other than his employer or fellow servant for any damages sustained by such employee where his injuries are caused by the act or omission of such person or corporation, where the cause of such injury is not directly connected with his employment."

By Harrington: A Bill for an Act Entitled: "An Act prohibiting the sale or exchange in the open market, of goods, wares and merchandise produced, manufactured or mined by convicts or prisoners under sentence in the state, or in or by any penal or reformatory institution of the state or produced, manufactured or mined by convicts or prisoners outside the state, or in or by any penal or reformatory institution of the United States or any foreign country and transported to this state for use or consumption therein; providing for the sale or exchange of goods, wares and merchandise made in or with any other penal or reformatory institution of the state, to or with any other penal or reformatory institution or any charitable or custodial institution the major portion of whose maintenance is contributed by the state or some political subdivision thereof; authorizing the Board of State Prison Commissioners to make rules to govern the conduct of industries in the penal and reformatory institutions of the state, to facilitate the sale and exchange of such goods, wares and merchandise, and to require the setting up in the penal and reformatory institutions of the state of a cost-accounting system in connection with the manufacture or production of goods, wares and merchandise therein, and fixing penalties for a violation of the provisions thereof."

By Ueland, Chapman, Whaley, Rolph: A House Joint Memorial Entitled; "Joint Memorial requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the states and that the Congress balance its budget without further increase in the tax levies."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. Nos. 95, 66, 96, and F. J. M. No. 3.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered as correctly engrossed: H. B. Nos. 126, 118 and 123.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, beg leave to report House Bill No. 6, back to the House, as correctly enrolled.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing report House Bill Nos. 97 and 75 were correctly printed and placed upon the desks of the members February 1, 1933, at 3:45 p. m.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Corporations other than municipal, having had under consideration, House Bill No. 86: A Bill for an Act Entitled: "An Act to create a public corporation to be known as 'the State

Bar of Montana'; to provide for its organization, government, membership and powers; to regulate the practice of law in the State of Montana; to provide penalties for the violation of this Act, and to repeal Sections 8937, 8938, 8939, 8942, 8945, 8946, 8947, 8948, 8949, 8950, 8952, 8953, 8955, 8956, 8957, 8959 and 8960 of the Revised Codes of Montana, 1921, and all Acts and parts of Acts in conflict herewith." Respectfully report and recommend as follows:

That House Bill No. 86 be printed and placed on General Orders.

FITZSTEPHENS, Chairman."

On motion by Fitzstephens, report adopted.

"Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 163: A Bill for an Act Entitled: "An Act to amend Section 10470 of the Revised Codes of Montana of 1921 relating to the commitment of children to orphan's home or other disposition of children and permitting said orphans' home to place children in private homes or other institutions and providing for the payment of keeping such children." Respectfully report and recommend as follows:

That House Bill No. 163 do pass.

JENSEN, Chairman."

On motion by Jensen, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 158: A Bill for an Act Entitled: "An Act to amend Section 2110, Montana Revised Codes 1921, providing for disposition of proceeds of taxes collected under the provisions of Chapter 165, Montana Revised Codes, 1921." Respectfully report and recommend as follows:

That House Bill No. 158 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 93: A Bill for an Act Entitled: "An Act permitting any motor carrier authorized by the Board of Railroad Commissioners of the State of Montana to transport persons and/or property for hire over any public highway in the State of Montana, aggrieved by the cancellation and/or refusal of issuance of motor vehicle liability insurance policy or bond by any insurance or surety company authorized to do business within the State of Montana, to file complaint with the Commissioner of Insurance of the State of Montana; authorizing the Commissioner of Insurance after notice to the parties and public hearing held to make appropriate finding or findings and enter an order thereon; providing for an appeal to the district court from the decision of the Commissioner of Insurance and for an appeal to the Supreme Court of the State of Montana from any decree of the district court of a judge thereof and authorizing the Commissioner of Insurance to revoke or suspend the license of any company failing to comply with his said order or decree of court entered upon appeal from his said order." Respectfully report and recommend as follows: That House Bill No. 93 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 122: A Bill for an Act Entitled: "An Act defining, licensing and regulating dealers at wholesale as herein defined; defining the words "produce," "person", and "commissioner"; outlining the procedure to obtain a license; providing for the date of expiration of licenses, the amount, and the posting thereof; fixing the amount of bonds

and defining the conditions thereof; providing for filing of commission schedules, the keeping of records and the report to shippers by dealers; providing for appeals from actions of the commissioner and how appeals may be taken; providing for handling money received from license fees; imposing certain duties and conferring certain powers upon the Commissioner of Agriculture and prescribing penalties for violation of this Act." Respectfully report and recommend as follows:

That House Bill No. 122 do pass.

PORTER, Chairman."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration, House Bill No. 135: A Bill for an Act Entitled: "An Act to regulate the sale of, and to fix standard grades for farm products; to provide for inspection, branding and labeling thereof defining certain terms; conferring certain powers upon the Commissioner of Agriculture; and fixing certain penalties for the violation thereof and declaring an emergency." Respectfully report and recommend as follows;

That House Bill No. 135 do pass.

PORTER, Chairman."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 89, 94, 101, 140, Sub. H. B. No. 17 and S. B. No. 1, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 6.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the Communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried

Helena, February 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of introduction was this day received:

By Cooper: A Bill for an Act Entitled: "An Act to amend Section 2843 of the Revised Codes of Montana of 1921, relating to the time for which an election binds employer under workmen's compensation act."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, report adopted:

Committee on Federal Relations: That S. J. M. No. 9, by Committee on Federal Relations, do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 71 do pass.

That S. B. No. 77 do pass.

That consideration of S. B. No. 81 be passed for the day.

That S. B. No. 86 be indefinitely postponed.

That consideration of Sub. S. B. No. 20 be passed for the day.

That S. B. No. 36 be amended in Section 5 by striking out in line 4, printed bill, the second word, "of" and inserting in lieu thereof the word, "to"; also that S. B. No. 36 be further amended in Section 5 by striking out in line 4, printed bill, the word "other"; and as so amended, recommend said bill do pass.

That S. B. No. 76 do pass.

That S. B. No. 89 be amended in Section 1 by inserting in line 7, printed bill, after the word "person," the following words: "The expenses of administration, or the expenses of caring for and preserving the estate of the decedent or ward; or paying, reducing, extending, or renewing some lien or chattel mortgage already existing on said personal property, or any part thereof, or paying the expenses of caring for, preserving and carrying on the business of the decedent or ward, during the administration of the estate."; and as so amended, recommend said bill do pass.

That S. B. No. 91 do pass.

That S. B. No. 93 do pass.

That H. B. No. 18 be concurred in.

That H. B. No. 69 be concurred in.

That H. B. No. 11 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. J. M. No. 7 do pass.

That S. B. No. 13 be amended by striking out Section 6 of the printed bill and inserting in lieu thereof a new Section to be known as Section 6, and to read as follows:

"Section 6. Every retail or wholesale merchant selling eggs within this state before offering any eggs for sale, shall candle the same, and eggs found to be unfit for food shall not be offered for sale for food purposes." And as so amended, recommend said bill do pass. That the committee rise and report.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 104, by Reed: A Bill for an Act Entitled: "An Act to amend section 4845 of the Revised Codes of the State of Montana of 1921, relating to the duties of the county surveyor, and providing that the inspection of all roads and bridges with the county shall be made by said

county surveyor in all sixth, seventh and eighth class counties, and providing for the appointment of such person in those counties where no county surveyor has been elected." Referred to Committee on Road and Highways.

S. B. No. 105, by Committee on Agriculture: A Bill for an Act Entitled: "An Act to amend Section 6433 of the Revised Codes of the State of Montana of 1921, relating to the powers invested in any organization created under the cooperative marketing act, and providing for the handling of products of non-members." Referred to Committee on Agriculture.

S. B. No. 106, by Committee on Agriculture: A Bill for an Act Entitled: "An Act to amend Section 2296 of the Revised Codes of the State of Montana of 1921, relating to the corporation license tax and the organizations not liable for said tax, and providing for an exemption for cooperative associations, organized for the purpose of purchasing supplies and equipment for the use of members or other persons, and further providing for corporations organized by an association for the purpose of financing the ordinary crop operations of the members or other producers and operators in conjunction with such association." Referred to Committee on Agriculture.

S. B. No. 107 by Pauline: A Bill for an Act Entitled: "An Act prohibiting county commissioners from purchasing any item of personal property of the value of five hundred dollars (\$500.00) or more, without the approval of the State Purchasing Agent and authorizing purchase by him for county commissioners under certain conditions." Referred to Committee on Counties and Towns.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Agriculture: That S. B. No. 41, by Corwin, be amended in Section 3, page 4, original bill, by striking out after the word, "se" the balance of line 20, and all of lines 21 and 22, and that portion of line 23 to the word, "Provided," and inserting in lieu thereof the following: "so much of such stored grain at the local market price on the close of business on said day as is sufficient to pay the accrued storage charges and shall thereupon issue new storage tickets for the balance of the grain to the owner thereof upon surrender by him of the original storage receipts" and as so amended, recommend said bill do pass. Report adopted.

Minority of Committee on Mines and Mining: That H. J. M. No. 2, by Beadle, do pass, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana. February 4, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Larson: A Bill for an Act Entitled: "An Act to amend Section 1061 of the Revised Codes of the State of Montana of 1921, relating to the school year and providing the minimum length of time that school shall be in session."

By Kane: A Bill for an Act Entitled: "An Act to amend Chapter 10 of part 3 of the political code of the Revised Codes of the State of Montana of 1921, relating to the assessment of property for taxation purposes,

by the addition thereto of a new section to be known as Section 2013-A, and providing the method for fixing the valuation of all public utility property for taxation purposes." This notice given in lieu of all previous notices.

By Committee on Agriculture: A Bill for an Act Entitled: "An Act to amend Section 2296 of the Revised Codes of the State of Montana of 1921, relating to the corporation license tax and the organizations not liable for said tax, and providing for the exemption for cooperative associations, organized for the purpose of purchasing supplies and equipment for the use of members or other persons, and further providing for corporations organized by an association for the purpose of financing the ordinary crop operations of the members or other producers and operators in conjunction with such association."

By Thien, Kilduff and Ekegren: A Bill for an Act Entitled: "An Act to amend Chapter 156 of the laws of the Twenty-First Legislative Assembly, which Chapter is an amendment of Section 2209 of the Revised Codes of Montana 1921, relating to the giving of notice of application for tax deed."

By Kilduff, Thien and Ekegren: A Bill for an Act Entitled: "An Act to provide for the incorporation of grazing district associations to aid in the conservation, restoration, improvement and use of forage resources in the State of Montana; to authorize such associations to lease, purchase or otherwise acquire county or other lands for such purposes and to provide for the management and use of such lands which will best conserve, restore and improve the forage value thereof."

By Donovan and Pauline: A Bill for an Act Entitled: "An Act to amend Chapter 109 of Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the regulation and sale of fuel oil and other petroleum products by adding after Section Seven (7) thereof, a new Section to be known as Section 7-B, providing grades and specifications for domestic and industrial fuel oils kept, offered, or exposed for sale in the State of Montana for heating and industrial purposes."

By Ekegren, Kilduff, and Thien: A Bill for an Act Entitled: "An Act providing for the sale, leasing, exchanging and for quieting title to lands acquired by any county by tax deed."

By Willis: A Memorial memorializing the Governor of the State of Montana praying for the issuance of a proclamation to all employers including all municipal corporations, organized and doing business within the State of Montana, requesting the same to place on their pension lists all those employees within their organizations entitled, under their rules and regulations, to be placed thereon, and fill those vacancies made by such pensions with available unemployed persons."

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Beadle: Move that H. B. No. 72 be withdrawn from the Committee on Engrossing and be re-referred to the Committee on Economy. Seconded. Carried.

Doe: Move that H. B. No. 95 be taken from third reading, and placed back on General Orders. Seconded. Carried.

Watson: Move that the House now reconsider its action on motion of Saturday to recall S. B. No. 6 back to the House. Seconded. Carried.

The Speaker: There is pending before the House the motion by the gentleman from Meagher that the action of the House on S. B. No. 6 be reconsidered. The Speaker makes this statement to explain the procedure in regard to that bill.

The following resolution was introduced by Bjorneby, read at length and referred to Select Committees appointed on February 3rd.

HOUSE RESOLUTION

WHEREAS: The State of Montana owns a property known as State Fair Grounds, located in Lewis and Clark County, and

WHEREAS said property is no longer necessary for any use and purposes of the State, but nevertheless, has considerable value, especially in Lewis and Clark County,

NOW, THEREFORE, BE IT RESOLVED that the Speaker appoint a Committee of two, to act with a like Committee from the Senate, for the purpose of conferring with the County Commissioners of Lewis and Clark County, relative to a transfer by the State, for a sufficient consideration, of said property to Lewis and Clark County, said Joint Committee to report back not later than Thursday, February 9th, 1933.

BJORNEBY.

H. J. R. No. 4, by Anderson; A Joint Resolution requesting the State Board of Equalization to prepare and present to the next legislative assembly a complete new tax code, covering the assessment and collection of all taxes including the taking of tax deeds when necessary." Committee on Revenue and Taxation.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were introduced, read first and second times and referred to committees:

H. B. No. 167, by Anderson and Ueland: A Bill for an Act Entitled: "An Act to amend Section 2231, Revised Codes, Montana, in relation to assessment and sale of real estate for taxes." Committee on Revenue and Taxation.

S. B. No. 168, by Committee on Labor: A Bill for an Act Entitled: "An Act to amend Section 831 of the Revised Codes of the State of Montana, 1921, relating to the appointment of members of the Board of Education." Committee on Education.

H. B. No. 169 by Pilgeram: A Bill for an Act Entitled: "An Act to amend Section 4973 of the Revised Codes of Montana of 1921 permitting cities to be reduced in class or to be reduced to towns." Committee on Affairs of Cities.

H. B. No. 170, by Woodcock and Blankenbaker: A Bill for an Act Entitled: "An Act to amend Section 4453 of the Revised Codes of Montana 1921, relating to qualifications of county commissioners." Committee on Townships and Counties.

H. B. No. 171, by Committee on Economy: A Bill for an Act Entitled: "An Act to amend Chapter 21, part III of the political code of the Revised Codes of the State of Montana, 1921, by adding thereto a new section to be known as Section 309-A providing for consolidation of the office of the State Accountant with the office of the Board of Examiners." Committee on State Boards and Officers.

H. B. No. 172, by Committee on Agriculture: A Bill for an Act Entitled: "An Act to amend Sections 6376, 6381 and 6387 of the Revised Codes of Montana of 1921, relating to co-operative associations." Committee on Agriculture.

H. B. No. 173, by Groene: A Bill for an Act Entitled: "An Act to permit building and loan associations to issue permanent stock, or stock in series, defining rights and liabilities of permanent stock with respect to other classes of stock, stipulating under what terms and conditions existing corporations may issue permanent stock, and repealing all Acts or parts of Acts in conflict therewith." Committee on Banks and Banking.

H. B. No. 174, by Replogle: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly, 1923, as amended by Section 1 of Chapter 79 of the Session Laws of the Twenty-First Legislative Assembly, 1929, and Section 1 of Chapter 67 of the Twenty-Second Legislative Assembly, 1931, and Section 69 of the Revised Codes of Montana of 1921 as amended by Section 2 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly, 1923, relating to the collection of taxes and the time and method of collecting the same, the interest thereon, and providing penalties for the delinquency thereof, and the form of notice of such delinquency to be given." Committee on Revenue and Taxation.

H. B. No. 175, by the Committee on Affairs of Cities: A Bill for an Act Entitled "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the laws of 1923, and by Chapter 107 of the laws of 1927, and as amended by Chapter 182 of the laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers and trailers in motor vehicles or automobile accessories, the distribution of the revenue received from motor registration fees; specifying the purposes for which the same may be expended, providing for the disbursement thereof, providing penalties for the violation thereof and repealing all Acts or parts of Acts in conflict herewith." Committee on Affairs of Cities.

H. B. No. 176, by Whaley: A Bill for an Act Entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927 relating to gasoline exemption from payment of the gasoline tax." Committee on Petroleum, Oil and Gas.

Besancon: Move that Fowler and Daugherty be given unanimous consent to introduce a Bill without previous notice. Without objection, permission granted.

Thereupon the following Bill was introduced, read first and second times, and referred to Committee:

H. B. No. 177, by Daugherty and Fowler; A Bill for an Act Entitled: An Act relating to the valuation of railroad and public utility properties for taxation purposes and providing that the value of the property of railroads and public utilities for taxation purposes shall not be less than the valuation submitted to the Public Service Commission or the Board of Railroad Commissioners for rate making purposes." Referred to Committee on Revenue and Taxation.

THIRD READING OF HOUSE BILLS

Besancon: I ask for unanimous consent that the bills on third reading be read by history, title and section number only.

Without objection, so ordered.

H. B. No. 66, introduced by Kruse, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Bryne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findler, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green, Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Jolecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pieron, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler,

Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sulvan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 96.

Noes: Rearden (Cascade). Total 1.

Absent and not voting: Cusker, Givens, Setzer, Shannon. Total 4.

The Speaker: Ninety-six have voted "aye"; one has voted "no"; H. No. 66 has passed the House.

House Joint Memorial No. 3, introduced by O'Connell, Freudenstein and Beadle, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jense, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sulvan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: Arnold, Miller (Big Horn), Miller (Lincoln), Quamme. Total 4.

Absent and not voting: Cusker, Freed, Givens, Knowles, Logan, Moss, Setzer, Shannon, Sparling, White. Total 10.

The Speaker: Eighty-seven have voted "aye", 4 have voted "no"; H. J. M. No. 3 has passed the House.

H. B. No. 96, introduced by Pilgeram and Givens, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 96.

Noes: None.

Absent and not voting: Givens, Logan, Parker (Flathead), Setzer, Shannon. Total 5.

The Speaker: Ninety-six have voted "aye", none have voted "no". H. B. No. 96 has passed the House.

H. B. No. 126, introduced by Committee on Appropriations, having been read three several times at length, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 96.

Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Campbell, Mr. Speaker. Total 93.

Noes: Miller (Big Horn), Stevens (Wheatland). Total 2.

Absent and not voting: Givens, Kruse, Logan, Setzer, Shannon, Strange. Total 6.

The Speaker: Ninety-three have voted "aye", 2 have voted "no"; H. B. No. 126 has passed the House.

H. B. No. 118, introduced by Committee on Appropriations, having been read three several times at length, history and title agreed to, was passed by the following vote:

Ayes: Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miller, Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Abahamson, Acher, Ballard, Ferry, Haight, Miles. Total 6.

Absent and not voting: Blankenbaker, Conner, Givens, Holecek, Larsen, Mason, Nelstead, Setzer, Shannon. Total 9.

The Speaker: Eighty-six have voted "aye", 6 have voted "no"; H. B. No. 118 has passed the House.

H. B. No. 123, introduced by Committee on Appropriations, having been read three several times at length, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 90.

Noes: Acher, Harlen, Miles. Total 3.

Absent and not voting: Ferry, Givens, Haight, Harrington, Larsen, O'Connell, Ralston, Rolph. Total 8.

The Speaker: Ninety have voted "aye", 3 have voted "no"; H. B. No. 123 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Moss of Flathead in the Chair.

Committee arose.

House resumed. Speaker Pro Tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 140, 76, 32, 68, 94, Sub. H. B. No. 27, H. B. No. 101 and 89, S. B. No. 1, H. B. No. 95, S. A. to H. B. No. 22, respectfully report and recommend as follows:

That H. B. No. 140 do pass.

That H. B. No. 76 do pass.

That H. B. No. 32 do pass.

That H. B. No. 68 do pass.

That H. B. No. 94 be amended as follows: Section 1, in line 9, striking out the words "thirty-six (36) months to include a minimum 3780 class hours," and inserting in lieu thereof the words "eight months each"; and that as so amended the bill do pass.

That Sub H. B. No. 27 do pass.

That H. B. No. 101 do pass.

That H. B. No. 89 do pass.

That S. B. No. 1 be passed for the day.

That H. B. No. 95 be passed for the day.

S. A. to H. B. No. 22 be passed for the day.

MOSS, Chairman."

On motion by Moss, report adopted.

NOTICES

Authors gave notice that they will, on tomorrow or some subsequent day, introduce bills as follows:

By Committee on Judiciary: A Bill for an Act Entitled: "An Act to provide for the codification of the Revised Codes of Montana of 1911, authorizing the appointment of a Code Commissioner, specifying his powers and duties, fixing his compensation and making a supplemental appropriation of money for said report."

By Parker of Flathead: A Bill for an Act Entitled: "An Act providing J. E. Dodson of Flathead County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom was referred H. B. No. 6, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:20 o'clock p. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 73: A Bill for an Act Entitled: "An Act to amend Section 1759 of the Revised Codes of Montana of 1921, as amended by Chapter

er 113 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana of 1925, as amended by Chapter 181 of the session laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, relating to registration and re-registration of motor vehicles, providing for application for registration and time for making application, assessment and payment of taxes on motor vehicles prior to registration, issuance and assignment of number plates and exhibition thereof, distribution of taxes and license fees collected, application for dealer's license, replacement of number plates, exemption of non-resident owners; prescribing duties of Registrar of Motor Vehicles and county assessors and county treasurers; to amend Section 1757 of the Revised Codes of Montana of 1921, relating to number plates of motor vehicles, prescribing the specifications thereof and providing for assignment of index numbers to counties of state; to amend Section 2002 of the Revised Codes of Montana of 1921, providing when assessment of property shall be made, when and how credits must be assessed, and when motor vehicles shall be assessed; to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana of 1923, as amended by Chapter 79 of the session laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 67, of the Session Laws of the State of Montana, 1931, providing for the payment of general taxes, special improvement assessments, and taxes on motor vehicles; and repealing all Acts and parts of Acts in conflict with the proposed Act." Respectfully report as follows:

That H. B. No. 73 be amended as follows: That in Section 1, in subsection 4 of said section and as it appears in the adopted amendment of said subsection, that the word "suspense," which appears in lines 76 and 77 of the printed bill on page 4, be stricken, and the word "license," inserted in lieu thereof. That subsection 5 of said Section 1 be amended by striking out the words "March fifteenth," which appear in lines two and three, page 5 of the original bill, and in line 85, page 4, of the printed bill, and that the words "February first" be inserted in lieu thereof. That subsection 8 of said Section 1 be stricken in its entirety, and that accordingly subsection 9 be re-numbered "8". That Section 3 be amended by striking out the words "and except motor vehicles" that appear in line 23, page 8 of the original bill, and line 8, page 6 of the printed bill, and further by striking out the words "except motor vehicles" in line 24, page 8 of the original bill, and at the end of line 8, page 6, of the printed bill: That Section 3 be further amended by striking out after the word "taxation," which is in line 30, page 8 of the original bill, and line 13, page 7 of the printed bill, all of the words up to and including the word "year" which is in line 2, page 9 of the original bill, and in line 18, page 7 of the printed bill, and inserting in lieu thereof the following: "Not therefore assessed under the provisions of Section 1759 as amended by this Act." And that as so amended the bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

Without objection the Committee on Public Health and Sanitary Affairs was given more time for the consideration of H. B. No. 109; the Committee on Education was given more time for the consideration of H. B. No. 102; and the Committee on Federal Relations was given more time for consideration of S. J. M. No. 4.

Besancon: Move the House adjourn until 9:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,

Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 7, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-fourth Legislative day, find the same to be correct."

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Reardon (Deer Lodge), A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in or about sugar refineries, and providing penalties for a violation thereof."

By McDermott: A Bill for an Act Entitled: "An Act requiring persons, co-partnerships, corporations, firms, associations and others engaging in or carrying on for hire within the State of Montana the business of operating line shafts, head gears and drop hangers for operating sheep shearing machines or clippers, which said line shafts, head gears and drop hangers are brought into the state for temporary use there, to pay to the State Treasurer of the State of Montana license tax for engaging in or carrying on such business, fixing the amount of such license tax, and providing penalties for the violation of this Act."

By Setzer and Anderson: A Bill for an Act Entitled: "An Act repealing Chapter 44 of the Session Laws of the State of Montana of 1917, relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for migratory wild fowl."

By Roll: A Bill for an Act Entitled: "An Act to appropriate \$703 to Deloraine Oil Syndicate, limited, Deloraine, Man., Canada, in settlement of overpaid taxes, penalty and interest."

By Committee on State Lands: A Bill for an Act Entitled: "An Act to amend Section 17, 23 and 25 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the leasing of state lands, determination of rental value for agricultural and grazing purposes, and town city and other lots."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 87, 78, 107, 114, 111, 124, and 28.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered as correctly engrossed: House Bill No. 57, Sub. H. B. No. 74, and H. B. No. 128.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 145, 132 and 134 and Sub. H. B. No. 70 beg leave report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 77: A Bill for an Act Entitled: "An Act to amend Section 1755 of the Revised Codes of Montana of 1921 as amended by Chapter 177 of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana 1925, as amended by Chapter 129 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, as amended by Chapter 181 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, as amended by Chapter 158 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, to amend Section 1758 of the Revised Codes of Montana of 1921, all relating to registration and registration of motor vehicles, trailers and semi-trailers, motor and accessories, dealers and operators and chauffeurs, prescribing the duties of the Registrar of Motor Vehicles and records to be kept, providing for issuance of certificates of registration and ownership and containing therefor; defining the terms 'owner' and 'legal owner'; providing for renewal of registration, transfer of title or interest in motor vehicles and issuance of new certificates of registration and ownership, for filing of chattel mortgages and conditional sales contracts with Registrar of Motor Vehicles, registration of holder as legal owner and the same being constructive notice of said mortgage or conditional sales contract; fees and certificates and transfers of title; duplicate certificates, and chauffeur's badge." Respectfully report as follows: That House Bill No. 77 be amended as follows:

That Section 2 be amended by inserting after the word "state," and before the word "duly" which are in lines 1 and 2, page 4 of the original bill, and in line 4, page 3 of the printed bill, the following words "an application for registration"; that this sub-section 1 of Section 2 be further amended by striking out after the word "form," which is in line 2, page 4 of the original bill, and in line 4, page 3 of the printed bill, all of the words up to and including the word "registration," which is in line 4, page 4 of the original bill, and line 6, page 3 of the printed bill. That all sub-section (3) of sub-section 1 of Section 2, entitled "Container" be stricken; that all of sub-section (e) of sub-section 3, of Section 2 be stricken and that the following sub-sections be re-lettered accordingly; that sub-section 3, of Section 2, be further amended by striking out in the present sub-section (g) which is to be re-lettered (f) all of the last sentence beginning with the words "the registered owner"; that sub-section (b) of sub-section 4, of Section 2 be amended by striking out the period following the word 'contracts' which is in line 11, page 9 of the original bill, and line 143, page 7 of the printed bill, and adding the following: "except the duration of said liens shall be and remain as specified in Section 3279 of the Revised Codes of Montana of 1921; that sub-section (d) of sub-section 4, of Section 2 be amended by striking out the period following the final word "vehicles," which is in line 32, page 9 of the original bill, and line 160, page 7 of the printed bill, and adding the following: "and in case of attachment of motor vehicles, all the provisions of Section 8283 of the Revised Codes of Montana of 1921 shall be applicable except that deposits must be made with the Registrar of Motor Vehicles instead of the County Treasurer." That Section 3 be amended by striking out the word "acts" as it appears in the adopted amendment and as is shown in the printed bill, and inserting the word "sections" in lieu thereof; and that as so amended, the bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration H. B. No. 148: A Bill for an Act Entitled: "An Act accepting the amendment enacted by congress to Section Eleven (11) of the Act approved February 22, 1889 (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington; approved by the President of the United States, May 7 1932," respectfully report and recommend as follows: That House Bill No. 148 do pass.

METLEN, Chairman."

On motion by Metlen, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration H. B. No. 149: A Bill for an Act Entitled: "An Act to amend Section 1872 of Chapter 148 of the Revised Codes of Montana of 1921, and to provide for a revision of stumpage prices and the regulation governing the cutting of timber on the state's forests," respectfully report and recommend as follows: That H. B. No. 149 do pass.

METLEN, Chairman."

On motion by Metlen, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 3: A Resolution concerning the laws for the rural and elementary schools in the State of Montana and asking for a survey commission to be appointed by the State Board of Education," respectfully report and recommend as follows:

That H. J. R. No. 3 do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 112: A Bill for an Act Entitled: "An Act relative to the payment of bonded indebtedness of school districts upon the creation of a new district," respectfully report and recommend as follows:

That H. B. No. 112, do pass.

FREED, Chairman."

On motion by Freed, report adopted.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE

Besancon: I move the communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 22 was this day read three several times and concurred in as amended, title and history agreed to, and is herewith transmitted to the House for concurrence in Senate Amendments.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Memorial were this day not concurred in, and bills are herewith returned to the House:

H. J. M. No. 2 by Beadle.

H. B. No. 44, by Lott.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 11, by Watson of Missoula, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments:

Senate Committee on Fish and Game Amendment to H. B. No. 11: Amend by striking out all that part of Section 1 after the word, "bird," in line 3, and striking out the comma after the word "bird," in line 3, and substituting therefor a period.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 29, by Clifford.

Sub. S. B. No. 9, by Printing Committee.

S. J. M. No. 8, by Reed.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in title and history agreed to, and bills are herewith returned to the House.

H. B. No. 18, by Appropriations Committee.

H. B. No. 69, by Committee on Education.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Kane, duly made and adopted, the Senate this day requests the return from the House of H. B. No. 23, for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

- H. B. No. 4—Committee on Taxation.
- H. B. No. 34—Committee on Fish and Game.
- H. B. No. 62—Committee on Oils and Leases.
- H. B. No. 88—Committee on Education.
- H. B. No. 104—Committee on Education.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Compensation: That H. B. No. 48 be concurred in, report adopted.

Committee on State and County Economies: That H. B. No. 90, Committee on Economy, be concurred in, report adopted.

Committee on State and County Economies: That H. B. No. 44, Lott, be not concurred in, report adopted.

Majority of Committee on State and County Economies: That S. B. No. 98, by Kane and Pauline, do pass, report adopted.

Committee on State and County Economies: That S. B. No. 99, Kane and Pauline, do pass, report adopted.

Committee on State and County Economies: That S. B. No. 1, by Committee on State and County Economies, do pass, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 16 do pass.

That Substitute for S. B. No. 20 do pass.

That S. B. No. 68 do pass.

That S. B. No. 72 be amended by adding a new Section to be numbered Section 4 to read as follows: "Section 4. All Acts or parts of Acts in conflict herewith are hereby repealed." Also amend by adding a new Section to be numbered Section 5 to read as follows: "Section 5. This Act shall be in full force and effect from and after its passage and approval." And as so amended, recommend said bill do pass.

That S. B. No. 78 do pass.

That S. B. No. 82 be amended in Section 1 by striking out the words and figures in lines 3 and 4 of the printed bill, "Thirty-six Hundred Dollars (\$3600.00)," and inserting in lieu thereof the words and figures, "Forty Thousand Dollars (\$4000.00)." Also amend in Section 2 by adding after line 75 on page 3 the following words and figures "State Adjutant-General, Twenty-seven Hundred Dollars (\$2700.00)." Also amend Section 2 by striking out in line 80 the words and figures, "Thirty-six Hundred Dollars (\$3600.00)."

"\$3600.00)," and inserting in lieu thereof the words and figures "Four Thousand Dollars (\$4,000.00)." Also amend in Section 5 by striking out in lines 9 and 10 the words and figures, "Thirty-six Hundred Dollars (\$3600.00)," and inserting in lieu thereof the words and figures, "Four Thousand Dollars (\$4000.00)." And as so amended, recommend said bill to pass.

That S. B. No. 94 do pass.

That S. B. No. 95 do pass.

That H. B. No. 22 be concurred in.

That H. J. M. No. 2 be not concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introduction of Bills were this day received:

By Staggs and Kelsey: A Bill for an Act Entitled: "An Act to amend Section 1252 of the Revised Codes of the State of Montana of 1921, relating to the issuance of bonds by counties, school districts, cities and towns, and vesting the State Board of Equalization with supervision and control over the issuance thereof."

By Jergensen: A Bill for an Act Entitled: "An Act providing that the inclusion of a possession clause in real estate mortgages without providing for possession by legal process shall constitute said mortgage avoidable instrument."

By Holton, Clarke, Harris and Kelsey: A Bill for an Act Entitled: "An Act to amend Section 3318 of the Revised Codes of Montana, 1921, relating to the inspection of horses to be removed from the State of Montana."

By Donovan and Walker: A Bill for an Act Entitled: "An Act to limit, regulate and license the manufacture and sale of any and all liquors or beverages that may hereafter be manufactured, sold or dispensed in the State of Montana."

By MacGillvra: A Bill for an Act Entitled: "An Act to amend Section 980 of the Revised Codes of the State of Montana of 1921, relating to the making and recording of plats or additions of cities and towns."

By Angvick and Holt: A Bill for an Act Entitled: "An Act to create county land advisory board in each county and defining the powers and duties of such boards."

By Campbell: A Bill for an Act Entitled: "An Act creating a lien on motor vehicles for labor furnished on machinery, supplies, materials or storage contributed in making, altering, repairing, storing or otherwise caring for same, and providing for the filing of a statement of such lien, and for the foreclosure of such lien and defining the rights or mortgages of holders of conditional sales contracts."

By Simmons and Harris: A Bill for an Act Entitled: "An Act relating to power and authority the State Fish and Game Commission shall have to change or suspend the closed season and the bag limit on elk in Carbon County and in Meagher County and to permit the killing and sale of elk in Carbon County and in Meagher County under such rules, regulations and conditions as the State Fish and Game Commission may prescribe to prevent or eliminate damage or destruction being done by elk to private property in Carbon County or in Meagher County upon written complaint and proof of such damage or destruction."

By Duncan: A Senate Joint Memorial Entitled: "A Resolution Memorializing Congress of the United States to enact House Joint Resolution 191 commemorating the one hundred and fiftieth anniversary of the naturalization as an American citizen in 1783 of Brigadier General Thaddeus Kosciuszko a hero of the Revolutionary war, by issuing special series postage stamps in honor of Brigadier General Thaddeus Kosciuszko."

By Carroll: A Senate Joint Memorial Entitled: "A Memorial to the Congress of the United States urging restraint and prevention of the traffic in alcoholic beverages over and across the boundary lines of the State of Montana."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Judiciary: That S. B. No. 69 do not pass, report adopted.

Committee on Counties and Towns: That S. B. No. 107 be amended in the title by striking out all the words and figures after the word, "titled," and inserting in lieu thereof the following: "An Act relating to the powers and duties of county commissioners in purchasing any article of personal property of the value of five hundred (\$500.00) dollars or more." And as so amended, recommend said bill do pass, report adopted.

Committee on Elections and Privileges: That H. B. No. 39, by Mr. Marshall, be concurred in, report adopted.

Committee on Elections and Privileges: That H. B. No. 50, by Committee on Privileges and Elections, be concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 6, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 108, by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act to amend Section 7094 and 7097 of the Revised Codes of Montana, 1921, stating the requirements of an appropriation of water, providing when part or all of an appropriation shall be deemed abandoned, prohibiting the sale or leasing of the water appurtenant to land and defining the rights of purchasers of rights to excess water." Referred to Committee on Irrigation and Water Rights.

S. B. No. 109, by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act relating to tax deeds, amending Section 100 of Chapter 100 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana, and providing that tax deeds shall convey absolute title to the lands therein described, free and clear of assessments levied against the property so conveyed, which assessments are payable after the sale of said property for non-payment of taxes or assessments, or both." Referred to Committee on Irrigation and Water Rights.

S. B. No. 110, by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act to provide for the dissolution of irrigation districts; sale of assets and payment of indebtedness." Referred to Committee on Irrigation and Water Rights.

S. B. No. 111, by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act to amend Chapter 155 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1921, changing the name of the Mississippi Valley Water Conservation Commission, enlarging the duties of said commission by including authority for the consideration of all natural resources and a study of the laws relating thereto." Referred to Committee on Irrigation and Water Rights.

S. B. No. 112, by Holt, by request: A Bill for an Act Entitled: "An Act to amend Sections 567 and 568 of the Revised Codes of Montana of 1921, relating to the registration of electors, and to the printing and posting of lists of registered electors, and the preparation by the county clerk of poll books." Referred to Committee on Elections and Privileges.

S. B. No. 113, by Holt, by request: A Bill for an Act Entitled: "An Act to amend Section 634 of the Revised Codes of Montana 1921, relating to the nomination of party candidates by direct vote." Referred to Committee on Election and Privileges.

S. B. No. 114, by Kane: A Bill for an Act Entitled: "An Act to amend Chapter 160 of part 3 of the political code of the Revised Codes of the State of Montana of 1921, relating to the assessment of property for taxation purposes, by the addition thereto of a new section to be known as Section 2013-A, and providing the method for fixing the valuation of all public utility property for taxation purposes." Referred to Committee on Taxation.

S. B. No. 115, by Simmons: A Bill for an Act Entitled: "An Act to amend Section 5792 of the Revised Codes of Montana, 1921, relating to separate property of wife." Referred to Committee on Judiciary.

S. B. No. 116, by Pauline and Donovan: A Bill for an Act Entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the regulation and sale of fuel oil and other petroleum products by adding after Section Seven (7) thereof, a new Section to be known as Section 7-B, providing grades and specifications for domestic and industrial fuel oils kept, offered or exposed for sale in the State of Montana for heating and industrial purposes." Referred to Committee on Oils and Leases.

S. B. No. 117, by Larson: A Bill for an Act Entitled: "An Act to amend Section 1061 of the Revised Codes of the State of Montana of 1921, relating to the school year, and providing the minimum length of time that school shall be in session." Referred to Committee on Education.

Respectfully,

J. F. CONE,
Secretary.

Doe: Move that House Bill No. 95 be taken from General Orders and re-referred to Committee on Public Health and Sanitary Affairs. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were introduced, read first and second times, and referred to committees:

S. J. M. No. 9, introduced by Committee on Federal Relations, a Memorial "memorializing the Congress of the United States to enact Senate Bill S1043, introduced by the Honorable T. J. Walsh of Montana, relating to the conferring upon the States of Montana, Wyoming and Idaho the right of tax, for state and county purposes, persons, co-partnerships, and corporations, and their property within the portion of Yellowstone Park which is within the boundaries of said states." Committee on Mines and Mining.

Sub. S. B. No. 9, introduced by Printing Committee: A Bill for an Act Entitled: "An Act to amend Section 293 of the Revised Codes of Montana of 1921, relating to the supervision of public printing by the State Purchasing Agent, and making it the duty of the State Purchasing Agent to furnish any board of county commissioners of any county of Montana with advice and assistance as to any matters that may arise with reference to the administration of the laws of the state relative to county printing and to furnish such board with a written analysis of any bid offered for a county printing contract or of any claim filed under a county printing contract, and repealing all Acts and parts of Acts in conflict herewith." Committee on Townships and Counties.

S. B. No. 29, introduced by Clifford, A Bill for an Act Entitled: "An Act to amend Chapter 108, Session Laws of 1925, Montana, relating to the expense of officers and employees of the State of Montana." Committee on Townships and Counties.

H. B. No. 178, by Parker of Flathead: A Bill for an Act Entitled: "An Act permitting J. E. Dodson, of Flathead County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident." Committee on Workmen's Compensation.

H. B. No. 179, by Marshall: A Bill for an Act Entitled: "An Act providing for the payment of filing fees by candidates for mayor and councilmen in cities operating under the commission form of government." Committee on Affairs of Cities.

H. B. No. 180 by Pierson: A Bill for an Act Entitled: "An Act to repeal Section 4549 of the Revised Codes of Montana of 1921 and to provide for the care and use and disposition of county fair property." Committee on Townships and Counties.

The Speaker: The House will please take notice that the Speaker is about to sign S. B. No. 33.

The Speaker: The House will please take notice that the Speaker is about to sign S. B. No. 19.

The Speaker: The House will please take notice that the Speaker is about to sign S. B. No. 50.

THIRD READING OF HOUSE BILLS

House Bill No. 57, introduced by Holecek, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chaman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Firbank, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Greig (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilg, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (El Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connor, O'Shea, Parker (Broadwater), Pilgeram, Quamme, Ragen, Rearden (Cade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Setz, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Sullivan, Tremble, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Whigal, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: Grabow, Larsen, Pierson, Snidow, Somerville, Stevens (Wheatland). Total 6.

Absent and not voting: Bjorneby, McDermott, Moss, Parker (Flathead), Porter, Ralston, Rognlien, Shannon. Total 8.

The Speaker: Eighty-seven have voted "aye", 6 have voted "no"; H. B. No. 57 has passed the House.

Substitute House Bill No. 74 introduced by Committee on Insurance, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Tremme, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: Rearden (Cascade). Total 1.

Absent and not voting: Harlen, Knowles, Moss, Parker (Flathead), Ralston, Rognlien, Shannon. Total 7.

The Speaker: Ninety-three have voted "aye", 1 has voted "no"; Sub. B. No. 74 has passed the House.

House Bill No. 28, introduced by Beadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ferry, Fowler, Freed, Freudenstein, Goodwin, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecek, Kruse, Kuhl, Lewis, Logan, Lott, Love, McDermott, McElwain, Manning, Marshall, Mason, Miles, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Ragen, Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Setzer, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Sullivan, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: Acher, Annin, Arnold, Cusker, Doran, Ecton, Findlater, Fitzstephens, Givens, Grabow, Groene (Fergus), Harlen, Jensen, Larsen, McCarvel, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Nelstead, Porter, Quamme, Rearden (Cascade), Rognlien, Snidow, Somerville, Stiefel, Tremme. Total 28.

Absent and not voting: Bjorneby, Knowles, Ralston, Shannon, Watson (Missoula).

The Speaker: Sixty-eight have voted "aye," 28 have voted "no"; House Bill No. 28 has passed the House.

House Bill No. 128, introduced by Abrahamson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Repogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow.

dow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Balgord, Campbell, Groene (Fergus), Knowles, McDermott, Mason, Ralston, Reardon (Deer Lodge), Shannon. Total 9.

The Speaker: Ninety-two have voted "aye", none have voted "no". House Bill No. 128 has passed the House.

House Bill No. 87, introduced by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Arnold, Balgord, Ballard, Bead, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Gre (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Holecek, Jensen, Kruse, Larsen, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Sullivan, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 83.

Noes: Anderson, Chapman, Haight, Hilger, Kuhl, Lewis, McElwain, Miles, Miller (Big Horn), O'Shea, Quamme, Rolph, Stevens (Wheatland), Trenne. Total 14.

Absent and not voting: Knowles, Ralston, Roll, Shannon. Total 4.

The Speaker: Eighty-four have voted "aye," 14 have voted "no". House Bill No. 87 has passed the House.

House Bill No. 78, introduced by Moss, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Gre (Dawson), Groene (Fergus), Hagerty, Harlen, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: Haight, Replogle. Total 2.

Absent and not voting: Daugherty, Freed, Harrington, Knowles, Ralston, Strange. Total 6.

The Speaker: Ninety-three have voted "aye", 2 have voted "no". H. B. No. 78 has passed the House.

House Bill No. 91, introduced by Committee on Public Health and Sanitary Affairs, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Holecek, Jensen, Kruse, Larsen, Logan, Lott, Love, McCarvel, McElwain, Marshall, Mason, Metlen, Miller (Big Horn), Miller, Moss, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Arnold, Ballard, Goodwin, Green (Dawson), Harrington, Hilger, Kuhl, Lewis, McDermott, Manning, Miles, Mulholland, Sullivan, Trenne, Ueland, Waite. Total 16.

Absent and not voting: Freed, Freudenstein, Knowles, Ralston, Shannon, Strange. Total 6.

The Speaker: Seventy-nine have voted "aye", 16 have voted "no"; H. B. No. 91 has passed the House.

House Bill No. 107, introduced by the Committee on Agriculture, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 95.

Noes: Miles. Total 1.

Absent and not voting: Cusker, Freed, Knowles, Metlen, Ralston. Total 5.

The Speaker; Ninety-five have voted "aye," 1 has voted "no"; H. B. No. 107 has passed the House.

House Bill No. 114, introduced by Rognlien, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ferry, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade),

Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shanno Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Steve (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Wats (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, M Speaker. Total 89.

Noes: Beadle, Cusker, O'Connell, Replogle. Total 4.

Absent and not voting: Annin, Bjorneby, Ecton, Freed, Freudenste Knowles, Nass, Ralston. Total 8.

The Speaker: Eighty-nine have voted "aye," 4 have voted "no"; B. No. 114 has passed the House.

House Bill No. 111, introduced by Stephens of McCone, Daugherty O'Shea, White, Freed, Doe, Chapman, Snidow, Whaley, Pilgeram, O'Connell, Spangler, Nass and Ballard, having been read three several times length, title and history agreed to was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ferry, Findlater, Fowler, Fre Freudenstein, Givens, Goodwin, Grabow, Green, Hagerty, Haight, Harrington, Holecek, Jensen, Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Miles, Miller (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Reardon (Deer Lodge), Replogle, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Woodcock, Mr. Speaker. Total 80.

Noes: Bjorneby, Byrne, Ecton, Fitzstephens, Groene (Fergus), Harlen, Hilger, Knowles, Larsen, Logan, Mason, Metlen, Miller (Lincoln), Ragen, Rearden (Cascade), Rognlien, Roll, Stiefel. Total 18.

Absent and not voting: Doran, Ralston, Shannon. Total 3.

The Speaker: Eighty have voted "aye", 18 have voted "no"; H. No. 111 has passed the House.

House Bill No. 124, introduced by Moss and Breitenstein, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrd, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 83.

Noes: Chapman, Haight, Kruse, Lewis, Manning, Metlen, Nass, O'Connell, Parker (Broadwater), Quamme, Ragen, Rolph, Waite, Watson (Missoula). Total 14.

Absent and not voting: Goodwin, Knowles, Ralston, Shannon. Total 3.

The Speaker: Eighty-three have voted "aye", 14 have voted "no"; H. B. No. 124 has passed the House.

Besancon: Move that consideration of General Orders be passed until his afternoon.

Besancon: Move the House now recess until 2:00 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 2:00 o'clock p. m.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce Bills as follows:

By Trenne: A Bill for an Act Entitled: "An Act relating to the regulation of dogs; to make it unlawful to knowingly own, harbor, or keep any unlicensed dog or any dog which kills, wounds or injures live-stock; and to provide a penalty for violation thereof."

By Fowler: A Bill for an Act Entitled: "An Act to amend Sections 891, 3895, 3896, 3897, 3899 and 3906 of the Revised Codes of the State of Montana, and to enact Sections 3906 and 3906B as additional Sections of Chapter 260, part III of the political code of the Revised Codes of Montana of 1921, relating to the filing of schedules of rates, the inquiry into and investigation of management of public utilities, making unnecessary the permanent employment of an engineer, alteration of rates and hearing thereon, fixing the rates, keeping of records, review of decisions, and assessment of costs."

By Committee on Highways: A Bill for an Act Entitled: "An Act providing for the payment of compensation for the use of the public highways of the State of Montana by Class "A" motor carriers, Class "B" motor carriers and Class "C" motor carriers and by private motor carriers of property."

By Committee on Judiciary: A Bill for an Act Entitled: "An Act permitting justices of the peace in certain cases to hold court outside their respective townships and amending Sections 8834 and 8835, Revised Codes of Montana, 1921."

By Grabow: A Bill for an Act Entitled: "An Act authorizing city and town councils owning and operating municipal water works to transfer by resolution surplus revenue earned by said municipal water works to the general funds for municipal purposes after providing for all costs of operation, debts, interest and depreciation, and repealing all Acts and parts of Acts in conflict herewith."

By Committee on Military Affairs: A Bill for an Act Entitled: "An Act permitting Evan K. Heatherly of Cascade County, Montana to file a claim for compensation for alleged industrial accident injury and disability after expiration of six months from the date of the happening of the alleged accident, injury or disability."

By Breitenstein: A Bill for an Act Entitled: "An Act to amend Section 2435 of the Revised Codes of Montana of 1921 relating to licenses on certain businesses including the sale of cigarettes."

By Spangler: A Bill for an Act Entitled: "An Act to repeal Chapter 104 of the Session Laws of the Twenty-Second Legislative Assembly of Montana and to revive any statute repealed by said Chapter, being an Act providing for the licensing of persons, firms, or corporations selling or vending drugs, or medicines and remedies as provided under the authority of Chapter 227 of the Revised Codes of Montana of 1921, providing for the issuance of such license, and fees therefor and penalties for the violation of the provisions of this act."

By Committee on Economy: A Bill for an Act Entitled: "An Act amend Sections 4531, 4532 and 4533 of Chapter 91 of the Session Laws of Montana 1931, relating to the application of destitute persons seeking relief, the residence of such persons and providing temporary relief non-residents, and repealing all Acts and parts of Acts in conflict herewith."

By Committee on Economy: A Bill for an Act Entitled: "An Act abolishing the office of Safety Appliance Inspector and repealing Section 3787 of the Revised Codes of Montana for 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly relating to the salary of safety appliance inspectors."

By Committee on Economy: A Bill for an Act entitled: "An Act to amend Section 187 of the Revised Codes of Montana, 1921, relating quarterly reports by the State Treasurer to the Governor."

By Wigal: A Bill for an Act entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the County of Missoula and all cities and towns thereinto into one municipal corporation and government under the corporate name "City and County of Missoula," giving it county status, defining its powers thereof and provide a commission-mayor plan and form of government therefor and for the submission of the question of adoption of the Act to the qualified electors of Missoula county."

Committee on Highways: A Bill for an Act entitled: "An Act amend Sections 2 and 6, Chapter 171, Laws of the Twenty-second Legislative Assembly of Montana of 1931, relating to the size of vehicles and loads that may be driven and moved on the public highways; and to permit to operate or move vehicles on the public highways of sizes or weights exceeding the maximum specified in the said chapter."

By Roll: A Bill for an Act entitled: "An Act amending Section of Chapter 104 of the Laws of the 21st Legislative Assembly of the State of Montana relating to the practicing or teaching of cosmetology"

By Shannon, Duffy, and Stephens of McCone: A Bill for an Act entitled: "An Act to prohibit the foreclosure of all real estate mortgages in the State of Montana for a period of two years from the passage and approval of this Act and extending the statute of limitations heretofore provided for the suits on real estate notes and foreclosure of mortgages securing said notes."

By Beadle, Setzer and O'Connell: A Bill for an Act entitled: "An Act to exempt homesteads from taxation."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration H. B. No. 176, a Bill for an Act entitled "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927, relating to gasoline exempted from payment of the gasoline tax," respectfully report and recommend as follows: That H. B. No. 176 do pass.

WOODCOCK, Chairman."

On motion by Woodcock, report adopted.

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration H. B. No. 151, a Bill for an Act entitled: "An Act to amend Sections 3614 and 3618 Revised Codes of Montana, 1921, relating to nursery stock and fruit inspection and fees collected thereon," respectfully report and recommend as follows: That H. B. No. 151 do pass.

PORTER, Chairman."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 156, a Bill for an Act entitled: "An Act to amend Section 1035 of the Revised Codes of Montana of 1921 relating to joint school districts, their formation, control and discontinuance," respectfully report and recommend as follows: That H. B. No. 156 do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 168, a Bill for an Act entitled: "An Act to amend Section 831 of the Revised Codes of Montana, 1921, relating to the appointment of members of the Board of Education," respectfully report and recommend as follows: That H. B. No. 168 do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. Sub. H. B. 65, 130, 143, and 150, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 67, a Bill for an Act entitled: "An Act legalizing and validating any bonds issued or hereafter to be issued by any county of this state by authority of any election held in such county for the purpose of creating or increasing any county indebtedness where such election was held and votes canvassed and the election declared carried as authorized by law prior to the enactment of Chapter 188 of the Session Laws of 1931, and where no resolution was adopted by the Board of County Commissioners of such county directing the issuance of said bonds prior to the 5th day of October, 1932," respectfully report and recommend as follows: That S. B. No. 67 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 21, a Bill for an Act entitled: "An Act to amend Section 1 of Chapter 92, Session Laws of 1927, being an Act entitled 'An Act relating to the giving of notice on application for tax deeds by counties, cities and towns, and legalizing and validating tax deeds heretofore issued to counties, cities and towns,'" respectfully report and recommend as follows: That S. B. No. 21 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 84, introduced by Committee on State Boards and Officers, a Bill for an Act entitled: "An Act to amend Section 6573 of the Revised Codes of Montana, of 1921, as amended by Chapter 113, Session Laws Twenty-first Legislative Assembly, 1929, relating to persons to whom free transportation may be issued," respectfully report and recommend as follows: That H. B. No. 84 do pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Railroads and Transportation having had under consideration House Bill No. 115, a Bill for an Act entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by any competing form of transportation service; and to prohibit the control of both competing forms of transportation by any railroad company; and prescribing a penalty for a violation of this Act," respectfully report and recommend as follows: That H. B. No. 115 do not pass.

HAGERTY, Chairman."

On motion by Hagerty, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 146, introduced by Campbell, a Bill for an Act entitled: "An Act to amend Section 3717 of the Revised Code of Montana of 1921 as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly, prohibiting the use or possession of explosives or poison for the purpose of killing fish; declaring same a misdemeanor and fixing the penalty therefor," respectfully report and recommend as follows: That H. B. No. 146 do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

MOTIONS AND RESOLUTIONS

Moss: Move that H. B. No. 176 be recalled from Committee on Printing and re-referred to the Committee on Petroleum, Oil and Gas. Seconded. Carried.

Mason: Move that H. B. No. 134 be taken from General Orders and re-referred to the Committee on Mines and Mining. Seconded. Carried.

The following Resolution was introduced.

RESOLUTION

WHEREAS there are anticipated new sources of revenue, whereupon arises the question of their distribution and therefore,

BE IT RESOLVED that a joint committee be appointed composed of the following:

Two members of the Committee on Appropriations.

Two members of the Committee on Education.

Two members of the Committee on Revenue and Taxation.

To be appointed by their respective chairmen, who shall consider and report upon proper allocation of such new and anticipated revenue.

On motion by Marshall, Resolution adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were introduced, read first and second time and referred to committees:

H. J. M. No. 4, by Ueland, Chapman, Whaley, Rolph and Trenn: "A Joint Memorial requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the states and that the Congress balance its budget without further increase in the tax levies." Committee on Federal Relations.

H. B. No. 181, by Ferry: A Bill for an Act Entitled: "An Act authorizing the establishment of liens on monuments and markers; providing for the enforcement of the same and the duties of officers of cemeteries and burial grounds in relation thereto." Committee on Judiciary.

H. B. No. 182, by Nutting: A Bill for an Act Entitled: "An Act to amend Section 2839 of the Revised Codes of Montana of 1921, authorizing injured workman, who has elected to come under the terms of the workmen's compensation act, to bring action against persons or corporations other than his employer or fellow servant for any damages sustained by such employee where his injuries are caused by the act or omission of such person or corporation, where the cause of such injury is not directly connected with his employment." Committee on Workmen's Compensation.

H. B. No. 183, by Committee on State Lands: A Bill for an Act Entitled: "An Act to repeal Sections 1928, 1930, and 1932 of the Revised Codes of Montana of 1921 as amended by Chapter 6 of the Laws of the State of Montana of 1923; and Sections 1929, 1931, 1933, 1934, 1935, 1936, 1940, 1941, 1943, 1944, 1945, 1946, 1947 and 1948 of the Revised Codes of Montana of 1921, all of the said Sections relating to the investment of the common school permanent fund and other permanent funds of the State of Montana, including the investment of such funds in farm mortgage loans." Committee on State Lands.

H. B. No. 184, by Committee on Judiciary: A Bill for an Act Entitled: "An Act to provide for the codification of the Revised Codes of Montana of 1935; authorizing the appointment of a Code Commissioner, specifying his powers and duties, fixing his compensation and making a supplemental appropriation of money for said report." Committee on Appropriations. (Read first time by title, second time at length).

H. B. No. 185, by Haight: A Bill for an Act Entitled: "An Act to submit to the electors of the State of Montana the question whether there shall be a convention to revise, alter or amend the constitution of the State of Montana." Committee on Constitutional Amendments.

The following Bill was this day introduced by unanimous consent without previous notice, read first and second times and referred to committee:

H. B. No. 186, introduced by Logan, by request: A Bill for an Act Entitled: "An Act to permit county commissioners in counties receiving aid from the Reconstruction Finance Corporation or other similar agencies to appropriate funds from the general funds of said counties for the employment of help and payment of expenses in the administration of such relief. Committee on Townships and Counties.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders under the rules in effect at the previous sitting. Seconded. Carried.

Pilgeram in the Chair.

Committee arose.

House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 73, Senate Bill No. 1, and S. A. H. B. No. 22, respectfully report and recommend as follows:

That H. B. No. 73 be amended by striking out in line 70 in Section 1, the word "suspense," and inserting in lieu thereof the word "license", and that as so amended, the Bill do pass.

That S. B. No. 1 be amended in Section 1 by striking out in line 9 of the printed bill after the word "institutions," the word "or", and inserting in lieu thereof the words "and at salaries not to exceed

\$4,000.00 per year in any case" and inserting also in line 9 after the word "education," the words "such administrative officers, agents or employees," and that as so amended, the Bill be concurred in.

That S. A. H. B. No. 22 be concurred in.

PILGERAM, Chairman."

On motion by Pilgeram, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Metlen: A Bill for an Act Entitled: "An Act providing for lien for services in the care or herding of sheep and providing for attorney fee in an action to enforce said lien."

By Shannon: A Bill for an Act Entitled: "An Act creating the Cherry Creek game preserve in Sanders and Mineral Counties and defining the boundaries thereof."

By Watson of Missoula: A Bill for an Act Entitled: "An Act amend Section 10307 of the Revised Codes of the State of Montana, 192 relating to the order in which debts are to be paid against estates of deceased persons."

THIRD READING OF HOUSE BILLS

On motion by Besancon, S. A. to H. B. No. 22 considered read length.

Senate Amendment to H. B. No. 22, by Committee on Ways and Means, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Bead, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Cha man, Daugherty, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowle, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene, Harty, Haight, Harrington, Hilger, Holecek, Jensen, Kruse, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Masc, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulhollan, Nass, Nelstead, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Mehner), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 80.

Noes: Acher, Conner, Doe, Duffy, Harlen, Kuhl, Nutting, O'Connell, O'Shea, Porter, Ragen, Stevens (Wheatland), Strange. Total 13.

Absent and not voting: Cusker, Freed, Knowles, Lewis, Pierso, Ralston, Replogle, Shannon. Total 8.

The Speaker: Eighty have voted "aye", 13 have voted "no"; S. H. B. No. 22 have been concurred in by the House.

Besancon: Move that H. B. No. 22 take precedence over all other bills and be enrolled at once. Seconded. Carried.

Besancon: Move the House now adjourn until 10:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,

Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-EIGHTH DAY

House of Representatives,
Helena, Montana, February 8, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except O'Connell, excused.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-sixth Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman.

Without objection, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce Bills as follows:

By Logan and Byrne: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 19 of the Session Laws of 1927, Section 2 of Chapter 19 of the Session Laws of 1927, as amended by Chapter 92 of the Session Laws of 1929 and Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaged in or carrying on the business of selling, handling or using gasoline to pay to the State Board of Equalization certain license taxes for engaging in and carrying on such business in this state, defining terms, fixing the amount of such license taxes and providing the method for the assessment and collection thereof; also to repeal Sections 2381, 2382 and 2383 of the Revised Codes of Montana, 1921."

By Wigal: A Bill for an Act Entitled: "An Act to amend Section 20 of Chapter 93 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana, relating to location and construction of creameries and cheese factories and ice cream factories."

By Watson of Meagher, Somerville and Grabow: A Bill for an Act Entitled: "An Act providing for the establishment and operation of a Central Accounting Department and central accounting system in and for the State of Montana for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act."

By Beadle: A Bill for an Act Entitled: "An Act making an appropriation for the purpose of paying claims for refund of inheritance taxes erroneously or illegally collected by the State of Montana."

By Committee on State Lands: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 108 of the Session Laws of the State of Montana of 1927 as amended by Chapter 193 of the Session Laws of the State of Montana of 1931, and also to amend Sections 6, 15 and 20 of said Chapter 108, all of said four sections relating to the leasing of state lands for oil and gas development."

By Committee on Agriculture: A Bill for an Act Entitled: "An Act providing for the appointment and removal of a herd district pound master, and for the impounding by him of livestock running at large in any herd district, and prescribing the amount of the fees to be collected by said pound master for livestock so impounded, and for the payment to him of necessary charges and costs of keeping and selling said livestock, and providing for the sale of said livestock upon the failure of the owner, owners or persons entitled to the possession thereof, to claim same and to pay the fees, charges and costs and fixing the compensation of such pound master.

By Committee on Agriculture: A Bill for an Act Entitled: "An Act to prohibit the foreclosure of all real estate mortgages and/or contracts in the State of Montana for a period of two years from the passage or approval of this act and extending the statute of limitations heretofore provided for the suits on real estate notes and/or contracts and foreclosure of mortgages securing said notes and/or contracts."

By Committee on Appropriations: A Bill for an Act Entitled: "An Act to amend Sections 295, 297, 298 and 299 Revised Codes of Montana 1921, the same being 'an Act to provide a budget system for the control of all expenditures of state money.'"

By Committee on Dairying: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 182 of the Session Laws of the Twenty-Second Legislative Assembly of Montana for 1931, relating to deceit in weight, grade, measure or test in sale of milk or cream; and providing penalty for violation."

By Committee on Dairying: A Bill for an Act Entitled: "An Act to amend Section 30 of Chapter 93 of the Session Laws of the Twenty-First Legislative Assembly of Montana of 1929, as amended by Chapter 1 of the Session Laws of the Twenty-Second Legislative Assembly of Montana of 1931, relating to standard butter measure."

By Mulholland: A Bill for an Act Entitled: "An Act making it unlawful for any banking corporation on and after the second day of January, 1934, to receive or accept deposits on any day, if at the opening of business on that day it has deposits in excess of five dollars (\$5.00) for each dollar of paid-in capital, or paid-in capital and surplus, if there be a surplus and providing penalties for a violation thereof."

By McDermott: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed on busses, trucks and taxicabs and providing the penalties for the violation thereof."

The Speaker: The House will please take notice that the Speaker is about to sign H. B. No. 18.

The Speaker: The House will please take notice that the Speaker is about to sign H. B. No. 69.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 93, 158 and 163, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed. House Bills Nos. 68, 76, 89 and 101.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered as correctly engrossed: Sub. H. 1 No. 27, House Bills, Nos. 32 and 140.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration H. B. No. 142: A Bill for an Act Entitled: "An Act appropriating money in satisfaction and settlement of the claim of E. L. Gleed for injuries sustained by him upon a highway of this state near

ima, Montana, and directing the State Auditor to draw his warrant upon the state highway fund therefor in settlement of said claim upon payment of said warrant." Respectfully report and recommend as follows: Amend H. B. No. 142—Section 1 lines 11 and 12 by striking out the words and figures after the word "of" Two Thousand Twenty-nine and 55-100 dollars (\$2029.55)" and inserting in lieu thereof the words and figures "One thousand Twenty-nine and 55-100 Dollars (\$1029.55)." Section 2 lines 21 and 2 by striking out the words and figures after the word "of" "Two Thousand Twenty-nine and 55-100 Dollars (\$2029.55)" and inserting in lieu thereof the words and figures "One Thousand Twenty-nine and 55-100 Dollars (\$1029.55)," and as so amended, recommend same do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Joint Memorial No. 2. "A Memorial to the Congress of the United States urging the prompt enactment of legislation for the rehabilitation of the farm industry through the adoption of some form of the domestic allotment plan, the refinancing of farm mortgages, and such other measures as may be found necessary to place the farm industry upon approximately the same footing as other great industries of the United States," respectfully report and recommend as follows:

That Senate Joint Memorial No. 2 be concurred in.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 172; A Bill for an Act Entitled; "An Act to amend Sections 6376, 6381 and 6387 of the Revised Codes of Montana of 1921, relating to co-operative associations," respectfully report and recommend as follows: That House Bill No. 172 do pass.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration H. B. No. 152, introduced by Committee on Townships and Counties: A Bill for an Act Entitled: "An Act to amend Section 10482 Revised Codes of Montana 1921, as amended by Chapter 12 of the Session Laws of 1927 and Section 10483 Revised Codes of Montana 1921 and relating to a mother's pension and prescribing the conditions to which the allowance to the mother for the support of her dependent child or children is subject." Respectfully report and recommend as follows: That H. B. No. 152 do pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration S. B. No. 35, Introduced by Willis: A Bill for an Act Entitled; "An Act to amend Section 4524 of Chapter 12 of the Revised Codes of Montana of 1921, relating to "when a person may receive relief from the county," and repealing all Acts and parts of Acts in conflict herewith." Respectfully report and recommend as follows: That S. B. No. 35 be amended as follows:

In line 22, strike out the whole paragraph and insert in lieu thereof the paragraph as follows calling it Section 2: "Section 2. Where there is an able bodied male person in the family applying for relief, the relief given in money or otherwise, must, when the Board of County Commissioners so require, be worked out at the prevailing rate of wages for the

particular class of labor performed on all unbudgeted governmental work as may be designated by the Board of County Commissioners, as emergency relief work," and as amended be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 98: A Bill for an Act Entitled: "An Act to appropriate money for the payment of claim of Ford E. Hov and Matt H. Tschirgi, as executors of the last will and testament of Francis M. Heinrich, deceased, for the repayment of excess inheritance tax paid by the said executors," respectfully report and recommend as follows:

That H. B. No. 98 do not pass.

SHANNON, Chairman."

On motion by Arnold, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 79: A Bill for an Act Entitled: "An Act levying a license tax on electricity and electrical energy generated, manufactured or produced in the State of Montana, for barter, sale or exchange and providing for the collection of such taxes and prescribing penalties for the violation of this Act." Respectfully report and recommend as follows:

That H. B. No. 79 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Joint Resolution No. 4: A Resolution requesting the State Board of Equalization to prepare and present to the next Legislative Assembly, a complete new tax code, covering the assessment and collection of all taxes including and taking of tax deeds when necessary," respectfully report and recommend as follows:

That H. J. R. No. 4 be re-referred to the Judiciary Committee.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 144: A Bill for an Act Entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of banks in this state, prescribing the license and filing fees to be paid thereon, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof." Respectfully report and recommend as follows: That H. B. No. 144 do not pass.

MILLER (Lincoln), Chairman."

On motion by Miller, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 85, introduced by Committee on State Boards and Officers: A Bill for an Act Entitled: "An Act to amend Section 5127 of the Revised Codes of Montana, of 1921, as amended by Section 9 of Chapter 58 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to State Auditor to

ties and towns fifty per centum (50%) of licenses collected for the maintaining disability and pension fund of Fire Department Relief Association of a city or town," respectfully report and recommend as follows: That S. B. No. 85 be amended as follows:

In line 7 of the title after the word "Towns" strike out the words and figures "Fifty Per Centum (50%) and inserting in lieu thereof the words and figures "Seventy-Five Per Centum (75%)," and as amended, do pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 174: A Bill for an Act Entitled: An Act to amend Section 1 of Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly, 1923, as amended by Section 1 of Chapter 79 of the Session Laws of the Twenty-First Legislative Assembly, 1929, and Section 1 of Chapter 67 of the Twenty-Second Legislative Assembly, 1931, and Section 2169 of the Revised Codes of Montana of 1921 as amended by Section 2 Chapter 96 of the Session Laws of the Eighteenth Legislative Assembly, 1923, relating to the collection of taxes and the time and method of collecting the same, the interest thereon, and providing penalties for the delinquency thereof, and the form of notice of such delinquency to be given," respectfully report and recommend as follows: That House Bill No. 174 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

State of Montana
Office of Governor

Helena, February 7, 1933.

Mr. Speaker:
House of Representatives.
Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 6, "An Act to amend Section 662, Revised Codes of Montana, 1921, as amended by Chapter 34 of the Session Laws of 1929 and relating to County and City Central Committeemen, one a man and one a woman, for each county precinct, and two such State Central Committeemen, one man and one a woman, from each county."

J. E. ERICKSON, Governor."

Besancon: Move that communications from the Senate be considered and at length, and that the Journal so show. Seconded. Carried.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate this day, on motion of Senator Kane, granted request of the House for the return of S. B. No. 6, for further consideration, and it is herewith returned.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

- S. B. No. 13, by Wass and Page.
- S. B. No. 16, by Pauline.
- Sub. S. B. No. 20, by Committee on Taxation.
- S. B. No. 36, by Keeley.
- S. B. No. 71, by Walker.
- S. B. No. 76, by Kaulbach.
- S. B. No. 77, by Coburn.
- S. B. No. 89, by Donovan.
- S. B. No. 91, by Kane and Pauline.
- S. B. No. 93, by Willis and MacGillvra.
- S. J. M. No. 7, by Clifford.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Education: That S. B. No. 103, by Committee on Education, do pass, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 108 do pass. Report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 110 do pass, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 111 do pass. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

- H. J. M. No. 3—Committee on Labor and Capital.
- H. B. No. 66—Committee on Agriculture.
- H. B. No. 96—Committee on Counties and Towns.
- H. B. No. 118—Committee on Finance and Claims.
- H. B. No. 123—Committee on Finance and Claims.
- H. B. No. 126—Committee on Finance and Claims.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Insurance this day, having had under consideration S. B. No. 120, respectfully recommend that said bill do pass, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 4 be amended in Section 3 by striking out in line after the word "after," and words and figures following, and inserting in lieu thereof the words, "its passage and approval," and as so amended, recommend said bill do pass.

That S. B. No. 92 do pass.

That H. B. No. 39 be concurred in.

That H. B. No. 48 be concurred in.

That H. B. No. 50 be concurred in.

That H. B. No. 90 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following notice of Introduction of Bill was this day received:

By Holt: A Bill for an Act Entitled: "An Act to amend Section 005 of the Revised Codes of Montana of 1921, relating to the annual meetings of school trustees, the organization thereof, the election of a chairman and defining his duties, providing who shall act as clerk of the board and fixing his compensation and repealing all Acts and parts of Acts in conflict herewith."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 125, by Staggs and Kelsey: A Bill for an Act Entitled: "An Act to amend Section 1252 Revised Codes of Montana, 1921, relating to the issuance of bonds by counties, school districts, cities and towns, and vesting the State Board of Equalization with supervision and control over the issuance thereof." Referred to Committee on Judiciary.

S. B. No. 126, by Ekegren, Kilduff and Thien: A Bill for an Act Entitled: "An Act providing for the sale, leasing, exchanging and for quieting title to lands acquired by any county tax deed." Referred to Committee on Public Lands.

S. B. No. 127, by Ekegren, Kilduff and Thien: A Bill for an Act Entitled: "An Act to provide for the incorporation of grazing district associations to aid in the conservation, restoration, improvement and use of forage resources in the State of Montana; to authorize such associations to lease, purchase or otherwise acquire county or other lands for such purposes and to provide for the management and use of such lands which will best conserve, restore and improve the forage value thereof." Referred to Committee on Public Lands.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion of Senator Kane, duly seconded and carried, appointed the following Senate member to act with a like committee from the House to consider the acquisition of land mentioned in communication from the House under date of February 3rd; viz., two half blocks of land lying directly north of the Capitol and adjacent thereto:

Senators Church and Thien.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requested the President to appoint a committee of two, to act with a like Committee from the House, for the purpose of conferring with the County Commissioners of Lewis and Clark County, relative to a transfer by the State, for a sufficient consideration, of said property to Lewis and Clark County; whereupon the President named Church and Thien to act as such Committee from the Senate.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 118, by MacGilyra: A Bill for an Act Entitled: "An Act to amend Section 4980 of the Revised Codes of the State of Montana, 1921, relating to the marking and recording of plats or additions of cities and towns." Referred to Committee on Counties and Towns.

S. B. No. 119, by Page: A Bill for an Act Entitled: "An Act relating to motion picture films or reels, providing a system of examination, approval, and regulation thereof, and to the banners, posters, and other advertising matter used in connection therewith; creating the board of censors; and providing penalties for the violation of this act." Referred to Committee on Judiciary.

S. B. No. 120, by Committee on Insurance, by request of Insurance Department of State of Montana: A Bill for an Act Entitled: "An Act to make a misdemeanor the issuing or circulating of illustrations, circulars, statements or memoranda of any sort by officers, directors, representatives or agents of insurance companies or societies doing business in the State of Montana, or by any other persons by which the terms, benefits or advantages of any policy issued by such companies or any certificate of membership issued by any such society, or the making of a misleading estimate of the dividends or share of surplus to be received upon such policies or certificates or using any name or title to any policy, or class of policies, or certificates of membership, or class of such certificate, or making or issuing any written or oral statements misrepresenting or making incomplete comparisons or attempting to induce any person to lapse, forfeit or surrender any policy of insurance or certificate of membership or allow it to lapse for the purpose of replacing such policy with another contract of insurance with another; also providing for revocation by Commissioner of Insurance of the certificate of authority issued by any c

poration, society or agent for violation of any of the provisions of this act; also repealing Section 6290 of the Revised Codes of Montana and all acts or parts of Acts in conflict herewith." Referred to Committee on Insurance.

S. B. No. 121, by Simmons and Harris: A Bill for an Act Entitled: "An Act relating to power and authority the State Fish and Game Commission shall have to change or suspend the closed season and the bag limit on elk in Carbon County and in Meagher County and to permit the killing and sale of elk in Carbon County and in Meagher County under such rules, regulations and conditions as the State Fish and Game Commission may prescribe to prevent or eliminate damage or destruction being done by elk to private property in Carbon County or in Meagher County upon written complaint and proof of such damage or destruction." Referred to Committee on Fish and Game.

S. B. No. 122, by Campbell: A Bill for an Act Entitled: "An Act creating a lien on motor vehicles for labor furnished on machinery, supplies, materials or storage contributed, in making, altering, repairing, repairing, or otherwise carrying for same, and providing for the filing of a statement of such lien, and for the foreclosure of such lien and defining the rights of mortgages or holders of conditional sale contracts." Referred to Committee on Judiciary.

S. B. No. 123, by Jergensen: A Bill for an Act Entitled: "An Act providing that the inclusion of a possession clause in real estate mortgages without providing for possession by legal process shall constitute a voidable mortgage a voidable instrument." Referred to Committee on Judiciary.

S. B. No. 124, by Reed: A Bill for an Act Entitled: "An Act to amend Sections 2156, 2157, 2158, 2160 and Section 2159, as amended by Chapter 86 of the Session Laws of the Twenty-First Legislative Assembly of 1929, and Section 2161 as amended by Section 9 of Chapter 96 of the Eighteenth Legislative Assembly of 1923, relating to the duties of the County Clerk in relation to taxes, and providing that said duties shall be performed by the County Assessor." Referred to Committee on Counties and Towns.

S. J. R. No. 3, by Duncan: A resolution memorializing Congress of the United States to enact H. J. R. 191, commemorating the one hundred and fiftieth anniversary of the the naturalization as an American citizen in 1783 of Brigadier General Thaddeus Kosciuszko, a hero of the Revolutionary war, by issuing special series of postage stamps in honor of Brigadier General Thaddeus Kosciuszko. Referred to Committee on Federal Relations.

S. J. M. No. 11, by Carroll: A Memorial to the Congress of the United States urging restraint and prevention of the traffic in alcoholic beverages over and across the boundary lines of the State of Montana. Referred to Committee on Public Morals.

S. J. M. No. 12, by Willis: A Memorial memorializing the Governor of the State of Montana, praying for the issuance of a proclamation to all employers, including all municipal corporations organized and doing business within the State of Montana, requesting the same to place on their pension lists all those employees within their organizations entitled, under their rules and regulations to be placed thereon, and fill those vacancies made by such pensions with available unemployed persons. Referred to Committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 7, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Notices of Introduction of Bills were this day received:

By Rowland: A Bill for an Act Entitled: "An Act to amend Section 1015 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 122 of the laws of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 122 of the laws of the Twenty-Second Legislative Assembly of 1931, prescribing the duties of trustees of public schools and particularly amended by sub-section 2 of said section regulating the powers of said trustees in regard to the issuing of contracts for the employment of teachers, mechanics and laborers."

By Rowland: A Bill for an Act Entitled: "An Act to amend Section 4465 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 95, Acts of the Eighteenth Legislative Assembly of 1923, and by Chapter 54 Acts of the Twentieth Legislative Assembly of 1927, and by Chapter 38 and 142 Acts of the Twenty-First Legislative Assembly of 1929, and by Chapter 100 Acts of the Twenty-Second Legislative Assembly of 1931 relating to the general and permanent powers of the Board of County Commissioners by the addition thereto of a new Section to be known as Section 10-A, and providing that real property acquired by said board under a taxed deed may be granted and conveyed by deed to the United States of America by said board."

By Rowland: A Bill for an Act Entitled: "An Act to amend Section 83 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of 1931, relating to the powers of the boards of trustees of county high schools by the addition of a new section to be known as section 6-A, and providing for regulations of said boards in regard to the issuing of contracts for the employment of any teacher or principal."

By Carroll: A Bill for an Act Entitled: "An Act to authorize the Board of County Commissioners of any county to issue refunding bonds beyond the amount of five per centum (5%) of the value of the taxable property of the county in certain cases."

By Thien: A Bill for an Act Entitled: "An Act to aid, assist and facilitate the making of loans to the owners of grain by corporations, associations or agencies created under or by authority of the Act of the Congress of the United States for the purpose of making loans to agriculturists; providing for the sealing of grain mortgaged to any such corporation, association or agency as security in whole or in part for loans obtained from it and appointment of sealers by the Farm Storage Commissioner, the issuance of certificates, the filing thereof, the fees to be paid; providing penalties for the breaking of seals and for the removal of sealed grain; prescribing duties of officers and prior lien holders seizing said grain and of the Farm Storage Commissioner."

By Thien, Ekegren, and Kilduff: A Bill for an Act Entitled: "An Act to amend Section 2209 of the Revised Codes of Montana of 1921, as amended by Chapter 156 of the Session Laws of the Twenty-First Legislative Assembly, Montana, relating to the giving of notice of application for tax deed." In lieu of all other notices.

By Pauline, by request: A Bill for an Act Entitled: "An Act to make it unlawful for any officer, board, or other agency of the state, or a Board of County Commissioners, county officer, or school board, or a town or city council, or city officer, to employ any married woman having a husband able bodied or financially able to support her; for any position or employment in this state, and making the allowance of any claim and the issuance or payment of any warrant therefor null and void, and providing penalties for the violation of this Act."

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Besancon: Move that H. B. No. 22 be enrolled and that the Enrolling Clerk be authorized to rearrange sections in the latter part of the bill where necessary. Seconded. Carried.

On motion by Besancon, O'Connell excused for the day.

At the request of Watson of Meagher, the motion previously made by him, that the House reconsider its action on S. B. No. 6, was brought on, the question was put to vote, and carried.

Watson (Meagher): Move that S. B. No. 6 be placed back on General Orders. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND
READING OF SAME

The following bills were this day introduced, read first and second times and referred to committees:

S. J. M. No. 7, introduced by Clifford: A Memorial memorializing the Congress of the United States for a grant of land for the use and benefit of the Northern Montana Agricultural and Manual Training School. Committee on Federal Relations.

S. B. No. 13, introduced by Wass and Page: A Bill for an Act Entitled: "An Act to promote the development of the Montana egg industry; to prohibit the sale of eggs unfit for human food; to prevent deception in the sale of eggs; and to encourage greater consumption thereof by regulating and standardizing the grading, classification and labeling of all eggs displayed for sale; providing penalties for the violation of the provisions of this act, and repealing Chapter 189 of the Session Laws of the Twenty-Second Legislative Assembly and all Acts and parts of Acts in conflict herewith." Committee on Dairies and Dairying.

S. B. No. 16, introduced by Pauline: A Bill for an Act Entitled: "An Act fixing and designating the annual salaries of the Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Clerk of the Supreme Court and Superintendent of Public Instruction, and repealing Sections 128, 300, 375 and 436 Revised Codes of Montana, 1921, and Section 22 Revised Codes of Montana 1921 as amended by Chapter 154 Session Laws 1927." Committee on Economy.

Sub. S. B. No. 20, introduced by Committee on Taxation: A Bill for an Act Entitled: "An Act providing for time which redemption may be made from tax sale of property sold to counties, and permitting payment of taxes determined subsequent to the year of sale, and amending Section 233, Montana Revised Codes, 1921." Committee on Revenue and Taxation.

S. B. No. 36, introduced by Keeley: A Bill for an Act Entitled: "An Act authorizing the board of school trustees of any district, whenever such district shall have a floating warrant indebtedness for teachers' salaries, school supplies and other necessary expenses incurred in the maintenance of schools in such district represented by warrants heretofore issued, as well as by warrants issued hereafter for the school year ending June 30th, 1933, within the amount of taxes levied and not collected, to issue bonds for the purpose of funding the same; prescribing the procedure and method of issuing, sale and payment of said bonds, and repealing Chapter 140, laws of the Legislative Assembly for 1929." Committee on Education.

S. B. No. 71, introduced by Walker: A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, to be stopped at all railway grade crossings before traversing such crossings." Committee on Public Safety.

S. B. No. 76, introduced by Kaulbach: A Bill for an Act Entitled: "An Act to amend Section 2479 of the Revised Codes of the State of Montana of 1921, providing for the reporting of certain diseases by physicians and other practitioners." Committee on Public Health and Sanitary Affairs.

S. B. No. 77, introduced by Coburn: A Bill for an Act Entitled: "An Act providing for the transfer of a guardianship proceeding from one county to another county and the procedure thereon." Committee on Judiciary.

S. B. No. 89, introduced by Donovan: A Bill for an Act Entitled: "An Act providing that executors, administrators, and guardians may be empowered to mortgage personal property." Committee on Judiciary.

S. B. No. 91, introduced by Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 378 of the Revised Codes of the State of Montana relating to the reporting of decisions by the Justices of the Supreme Court and the salary for such services." Committee on Economy.

S. B. No. 93, introduced by Willis and MacGilvra: A Bill for an Act Entitled: "An Act to amend Section 9035 of the Revised Codes of Montana 1921 relating to actions which must be begun within six months and regulating the time within which an action for restoration to office by any person having been wrongfully or illegally removed or excluded from office, and regulating the time within which an action should be begun to recover salary or other emoluments of such office, and repealing Section 9038 and Section 9039, of the Revised Codes of Montana, 1921." Committee on Judiciary.

H. B. No. 187, by Snidow: A Bill for an Act Entitled: "An Act to amend Chapter Twenty-one (21), enacted by the Twenty-Second Legislative Assembly of the State of Montana Entitled: "An Act providing for the basis of imposition of taxes on agricultural products in storage or held on the farm, and amending all Acts and parts of Acts in conflict herewith, and to include livestock on feed within the terms thereof." Committee on Revenue and Taxation.

H. B. No. 188, by Setzer and Anderson: A Bill for an Act Entitled: "An Act repealing Chapter 44 of the Session Laws of the State of Montana of 1929, relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for migratory wild fowl." Committee on Fish and Game.

H. B. No. 189, by Shannon, Stephens and Duffy: A Bill for an Act Entitled: "An Act to prohibit the foreclosure of all real estate mortgages in the State of Montana for a period of two years from the passage and approval of this Act extending the statute of limitations heretofore provided for the suits on real estate notes and foreclosure of mortgages secured by said notes." Committee on Judiciary.

H. B. No. 190, by Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 187 of the Revised Codes of Montana, 1921, relating to quarterly reports by the State Treasurer to the Governor." Committee on State Boards and Officers.

H. B. No. 191, by Spangler: A Bill for an Act Entitled: "An Act to repeal Chapter 104 of the Session Laws of the Twenty-Second Legislative Assembly of Montana and to revive any statute repealed by said chapter, being an act providing for the licensing of persons, firms or corporations selling or vending drugs, or medicines and remedies as provided under the authority of Chapter 227 of the Revised Codes of Montana of 1921, providing for the issuance of such license, and fees therefor and penalties for the violation of the provisions of this Act." Committee on Public Safety.

H. B. No. 192, by McDermott: A Bill for an Act Entitled: "An Act requiring all persons, co-partnerships, corporations, firms, associations and others engaging in or carrying on for hire within the State of Montana the business of operating line shafts, head gears and drop hangers or operating sheep shearing machines or clippers, which said line shafts,

ad gears and drop hangers are brought into the state for temporary use therein, to pay to the State Treasurer of the State of Montana license tax for engaging in or carrying on such business, fixing the amount of such license tax, and providing penalties for the violation of this Act." Committee on Revenue and Taxation.

H. B. No. 193, by Roll: A Bill for an Act Entitled: "An Act to appropriate \$703.39 to Deloraine Oil Syndicate, Limited, Deloraine, Man. Canada, in settlement of overpaid taxes, penalty and interest." Committee on Appropriations. (Read first time by title, second time at length.)

H. B. No. 194, by Reardon: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in or about sugar refineries, and providing penalties for a violation thereof." Committee on Labor.

H. B. No. 195, by Beadle, Setzer, O'Connell: A Bill for an Act Entitled: "An Act to exempt homesteads from taxation." Committee on Revenue and Taxation.

H. B. No. 196, by Roll: A Bill for an Act Entitled: "An Act amending Section 1 of Chapter 104 of the Laws of the Twenty-First Legislative Assembly of the State of Montana relating to the practicing or teaching of cosmetology." Committee on Public Health and Sanitary Affairs.

H. B. No. 197, by Shannon: A Bill for an Act Entitled: "An Act creating the Cherry Creek Game Preserve in Sanders and Mineral Counties and defining the boundaries thereof." Committee on Fish and Game.

H. B. No. 198, by Watson by request: A Bill for an Act Entitled: "An Act to amend Section 10307 of the Revised Codes of the State of Montana, 1921, relating to the order in which debts are to be paid against estates of deceased persons." Committee on Judiciary.

H. B. No. 199, by Judiciary Committee: A Bill for an Act Entitled: "An Act permitting justices of the peace in certain cases to hold court outside their respective townships and amending Sections 8834 and 8835, Revised Codes of Montana, 1921." Committee on Judiciary.

H. B. No. 200, by Grabow: A Bill for an Act Entitled: "An Act authorizing city and town councils owning and operating municipal water works to transfer by resolution surplus revenue earned by said municipal water works to the general funds for municipal purposes after providing for all costs of operation, debts, interest and depreciation, and repealing all Acts and parts of Acts in conflict herewith." Committee on Affairs of Cities.

H. B. No. 201, by Committee on Military Affairs: A Bill for an Act Entitled: "An Act permitting Evan K. Heatherly of Cascade County, Montana to file a claim for compensation for alleged industrial accident injury and disability after expiration of six months from the date of the happening of the alleged accident, injury or disability." Committee on Workmen's Compensation.

H. B. No. 202, by Trenne, by request: A Bill for an Act Entitled: "An Act relating to the regulation of dogs; to make it unlawful to knowingly own, harbor or keep any unlicensed dog or any dog which kills, wounds or injures livestock; and to provide a penalty for violation thereof." Committee on Livestock.

H. B. No. 203, by Committee on Highways: A Bill for an Act Entitled: "An Act providing for the payment of compensation for the use of the public highways of the State of Montana by Class "A" motor carriers, Class "B" motor carriers and Class "C" motor carriers and by private motor carriers of property." Committee on Highways.

H. B. No. 204 by Highways Committee: A Bill for an Act entitled: "An Act requiring every 'private motor carrier of property' as defined herein to obtain a permit to operate upon any public highway of the State

of Montana from the Board of Railroad Commissioners of the State of Montana; providing for the procedure to obtain such a permit and the terms thereof, fee therefor and penalties for the violation hereof." Committee on Highways.

H. B. No. 205, by Highway Committee: A Bill for an Act entitled "An Act providing for the regulation by the Board of Railroad Commissioners of the State of Montana of the operation and rates of Class motor carriers, as defined by Chapter 184 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana." Committee on Highways.

H. B. No. 206, by Highway Committee: A Bill for an Act entitled "An Act relating to the age of drivers of motor vehicles operating for profit and providing the number of hours that the operator of such vehicle may remain on duty in any twenty-four hour period, and penalty for violation hereof." Committee on Highways.

H. B. No. 207, by Committee on State Lands: A Bill for an Act entitled: "An Act to amend Sections 17, 23, and 25 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the leasing of state lands, determination of rental value for agricultural and grazing purposes, and town, city, and other lots." Committee on State Lands.

THIRD READING OF SENATE BILLS

Besancon: Move that bills on third reading be read by history, title and section number only. Seconded. Carried.

S. B. No. 1, introduced by Garber, a Bill for an Act entitled: "An Act to amend Section 10651 of the Revised Codes of Montana of 1913 relating to depositions; providing for the physical examination of a party to an action when material; prescribing the terms and method of such examination," having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Findlater, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Eger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, LeMcCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 78.

Noes: Beadle, Ecton, Fitzstephens, Fowler, Freudenstein, Harrington, Love, Moss, Mulholland, Nutting, Rearden (Cascade), Rognlien, Setz, Stiefel, Mr. Speaker. Total 18.

Absent and not voting: Conner, Duffy, Ferry, Freed, McElwain, O'Connell, Pierson, Sullivan. Total 8.

The Speaker: Seventy-eight have voted "aye," 15 have voted "no." S. B. No. 1 has been concurred in by the House.

THIRD READING OF HOUSE BILLS

House Bill No. 68, introduced by Freudenstein, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ferry, Findlater, Fowler, Freudenstein, Givens, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Eger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, LeMcCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 78.

stein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Woodcock, Wigal, Mr. Speaker. Total 89.

Noes: Annin, Arnold, Ecton, Fitzstephens, Green (Dawson), Stiefel, Watson (Missoula). Total 7.

Absent and not voting: Duffy, Freed, O'Connell, Pierson, Sullivan. Total 5.

The Speaker: Eighty-nine have voted "aye," 7 have voted "no," H. B. 68 has passed the House.

House Bill No. 76, introduced by Groene, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Blancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Ciner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 90.

Noes: Ballard, Nass. Total 2.

Absent and not voting: Duffy, Freed, Knowles, Mason, O'Connell, Pierson, Ralston, Sullivan, Watson (Meagher). Total 9.

The Speaker: Ninety have voted "aye," 2 have voted "no"; H. B. No. 76 has passed the House.

House Bill No. 89, introduced by Stevens, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Mr. Speaker. Total 89.

Noes; Besancon, Cusker, Daugherty, Wigal, Woodcock. Total 5.

Absent and not voting: Duffy, Freed, O'Connell, Pierson, Strang Sullivan, Waite. Total 7.

The Speaker: Eighty-nine have voted "aye," 5 have voted "no"; H. No. 89 has passed the House.

House Bill No. 94, introduced by Committee on Public Health and Sanitary Affairs, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Bead Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephen Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groe (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Parker (Flathead), Parker (Broadwater), Pilgeram, Port Quamme, Ragen, Ralston, Replogle, Rognlien, Roll, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stifel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 81.

Noes: Arnold, Larsen, Nutting, O'Shea, Rearden (Cascade), Reardon (Deer Lodge). Total 6.

Absent and not voting: Campbell, Duffy, Freed, Knowles, Kruse, McElwain, Nelstead, O'Connell, Pierson, Rolph, Schuster, Sullivan, Whalen. Total 14.

The Speaker: Eighty-one have voted "aye," 6 have voted "no"; H. No. 94 has passed the House.

Besancon: Move the House now revert to Order of Business No. 1. Seconded. Carried.

Besancon: Move the House now recess until 2:00 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed, pursuant to recess, at 2:00 P. M.

Mr. Speaker in the Chair.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Somerville: A Bill for an Act entitled: "An Act to amend Section 10651 of the Revised Codes of Montana of 1921, relating to depositions; providing for the physical examination of a party to an action where material; prescribing the terms and method of such examination."

By Givens: A Bill for an Act entitled: "An Act providing for certain notices to be given by County Commissioners in event of sale of county of real estate which the county had theretofore acquired by tax deed, and providing for right of redemption by last owners, judgment debtors, mortgagees, or assignees, or record."

By Holecek: A Bill for an Act entitled: "An Act to amend Section 8157 of the Revised Codes of the State of Montana, 1921, relating to measure of indemnity in case of loss by fire."

By Roll: A Bill for an Act entitled: "An Act to regulate and govern the sanitary conditions under which wall paper, kalsomine or other substitute wall covering shall be placed on the walls or ceilings or rooms or halls in hotels, rooming houses or other houses or structures owned or maintained for rental purposes, and to regulate and govern the number of coats of kalsomine, wall paper or other substitute wall covering

cepting oil paints that may be affixed and to make a violation of any the provisions of this Act a misdemeanor, and to repeal Section 2499 the Revised Codes of Montana of 1921."

By Committee on Townships and Counties: A Bill for an Act entitled: "An Act abandoning, abolishing and terminating the organization and political and corporate existence of the counties of Beaverhead, Blaine, Broadwater, Carter, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richmond, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Toole, Treasure, Valley, Wheatland, and Wibaux, and abandoning, abolishing and terminating the terms of office of all legislative county and township offices herein; providing for the payment of the debts and the disposition of the property and assets of the counties so abandoned, abolished and terminated; creating the new counties of Blaine, Custer, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Jefferson, Madison, Meagher, Missoula, Rosebud, Sheridan, Sweet Grass, Toole and Valley counties, and providing for the organization thereof, designating the officers thereof, the judicial districts to which the same shall be attached, and providing for their representation in the Legislative Assembly of the State of Montana."

By Committee on Insurance: A Bill for an Act entitled: "An Act amend Section 4026 of the Revised Codes of Montana of 1921 as amended by Section 1 of Chapter 179 of the Laws of 1929, as amended by Section 1 of Chapter 194 of the Laws of 1931; Section 4028 of the Revised Codes of Montana of 1921 as amended by Section 3 of Chapter 19, as amended by Section 3 of Chapter 179 of the Laws of 1929; Section 4033 of the Revised Codes of Montana of 1921, Section 4036 of the Revised Codes of Montana of 1921, Section 4040 of the Revised Codes of Montana of 1921, as amended by Section 4 of Chapter 179 of the Laws of 1929; Section 4041 of the Revised Codes of Montana of 1921. Section 4044 of the Revised Codes of Montana of 1921, as amended by Section 4 of Chapter 179 of the Laws of 1929; Section 4050 of the Revised Codes of Montana of 1921, as amended by Section 5 of Chapter 179 of the Laws of 1931, defining investment companies, exempting certain securities from the provisions thereof; providing for the examination of papers and issuance and revocation of permits and suspension of permits pending hearing and right of appeal; providing for the registration of agents and permits to do business and the revocation of such permits; fixing the time at which annual statements and special reports must be filed with Investment Commissioner; regulating circulars and advertisements and the use of the name of the Investment Department of Commissioner or misrepresentation in sales promotion; prescribing the fees to be paid by investment companies, stock-brokers and agents thereof."

By Committee on Judiciary: A Bill for an Act entitled: "An Act amend Sections 9664 and 9680, Revised Codes of Montana 1921, relating to judgments by default and judgments (other than default) in justice courts."

By Nutting: A Bill for an Act entitled: "An Act defining the title conveyed by tax deeds."

By Pierson: A Bill for an Act entitled: "An Act amending Section 108 of the Revised Codes of Montana, 1921, relating to the manner and time of issuing alias summons."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 86, 122, 135, and 148, beg leave to report that the same have this day been returned from the printer correctly printed. SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: H. B. Nos. 18 and 69.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 18 and 69 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, at the hour of 10:45 o'clock A. M., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 157, a Bill for an Act entitled: "An Act to amend Sections 4531, 4532, and 4533 of Chapter 91 of the Session Laws of Montana 1931, relating to the application of destitute persons seeking relief, the residence of such persons and providing temporary relief to non-residents, and repealing all Acts and parts of Acts in conflict herewith," respectfully report and recommend as follows: That H. B. No. 157 do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 184, a Bill for an Act entitled: "An Act to provide for the codification of the Revised Codes of Montana 1935; authorizing the appointment of a Code Commissioner, specifying his powers and duties, fixing his compensation and making a supplemental appropriation of money for said report," respectfully report and recommend as follows: That H. B. No. 184 do not pass.

SHANNON, Chairman."

Shannon: Move the adoption of the report. Seconded.

Groene: As a substitute motion, move that House Bill No. 184 be referred to the Committee on Judiciary. Seconded. Carried.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 199, a Bill for an Act entitled: "An Act permitting justices of the peace in certain cases to hold court outside their respective townships and amending Sections 8834 and 8835, Revised Codes of Montana, 1921," respectfully report and recommend as follows: That H. B. No. 199 be amended by inserting after the word "of" and before the word "justice," in line 26, page 1, the word "the," and that when so amended, the bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 198, a Bill for an Act entitled: "An Act to amend Section 10307 of the Revised Codes of the State of Montana, 1921, relating to the order in which debts are to be paid against estates of deceased persons," respectfully report and recommend as follows: That H. B. 198 be amended as follows: Amend Section 1 by inserting in Section 4 after the word "life-time" which is in line 17, the following words: "constituting a lien on property of the estate"; and striking

the period at the end of Sub-section 4 and inserting a comma in lieu thereof, and adding the following: "provided the amount of such preference shall not exceed the value of said property subject to such lien, and that when so amended, the bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 44, a Bill for an Act entitled: "An Act to amend Section 12288 of the Revised Codes of Montana, 1921, relating to the appointment, salary and duties of probation officers," respectfully report and recommend as follows: That S. B. No. 44, be amended as follows: That Section 1 be amended by inserting after the word "Montana" and before the word "the," which are in lines 17 and 18 of the original bill, and in line 5, page 1, of the printed bill, the following words: "or in any county or counties thereof"; that Section 1 be further amended by striking out after the word "counties" which is in line 3, page 2 of the original bill, and in line 17, page 1 of the printed bill, the following words: "constituting the judicial district"; that Section 1 be further amended by inserting after the word "counties" and before the word "in" which are in line 19, page 2 of the original bill and in line 27, page 2 of the printed bill the following words: "in which said officer is appointed to act"; and that when so amended the bill be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 77, a Bill for an Act entitled: "An Act providing for the transfer of a guardianship proceeding from one county to another county and the procedure thereof," respectfully report and recommend as follows: That Senate Bill No. 77 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 159, a Bill for an Act entitled: "An Act to amend Section 9807 of the Revised Codes of Montana, 1921, relating to security for costs in civil actions," respectfully report and recommend as follows: That H. B. No. 159 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 89, a Bill for an Act entitled: "An Act providing that executors, administrators, and guardians may be empowered to mortgage personal property," respectfully report and recommend as follows: That S. B. No. 89 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, a majority of your Committee on Privileges and Elections, having had under consideration House Bill No. 137, introduced by Campbell, a Bill for an Act entitled: "An Act to amend Section 632 of the Revised Codes of Montana of 1921 as amended by Chapter 118 of the Session Laws of the Nineteenth Legislative Assembly of Montana and Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of

Montana relating to the date of holding primary elections," respectfully report and recommend as follows: That H. B. No. 137 do not pass.

LOVE,
MILLER (Big Horn),
MILLER (Lincoln),
CHAPMAN,
TRENNE,
UELAND,
PARKER (Flathead).

"Mr. Speaker: We, a minority of your Committee on Privileges and Elections, having had under consideration House Bill No. 137, introduced by Campbell, a Bill for an Act entitled: "An Act to amend Section 32 of the Revised Codes of Montana of 1921 as amended by Chapter 11 of the Session Laws of the Nineteenth Legislative Assembly of Montana and Chapter 3 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to the date of holding primary elections," respectfully report and recommend as follows: That H. B. No. 137 do pass.

WIGAL,
BJORNEBY,
GROENE.

Chapman: Move the adoption of the majority report. Seconded.

Reardon (Deer Lodge): As a substitute motion, move that the minority report be adopted. Seconded. Carried.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: H. B. Nos. 8 and 22.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 176, a Bill for an Act entitled: "An Act to amend Section 11 of Chapter 19 of the Session Laws of the Twentieth Legislative Assembly of Montana of 1927, relating to gas not exempted from payment of the gasoline tax," respectfully report and recommend as follows: That H. B. No. 176 be placed on General Orders without recommendation.

WOODCOCK, Chairman."

On motion by Woodcock, report adopted.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 8.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 22.

MOTIONS AND RESOLUTIONS

Mason: Move the House of Representatives invite the Honorable Senate to join with them in the celebration of Lincoln's birthday on Saturday, February 11, at 2:00 P. M. Seconded. Carried.

Watson (Missoula): Move a committee of three be appointed to escort his Excellency, the Governor, to the same celebration. Seconded. Carried.

The following resolution was read and referred to the Committee on Military Affairs.

HOUSE JOINT RESOLUTION NO. 5

Introduced by Replogle, Holecek, White and Pilgeram:

WHEREAS, in our anxiety to accomplish for our material benefit we often overlook recording in the pages of history events that should be chronicled for our posterity, and

WHEREAS, the Great State of Montana on the 8th day of November, 1889, was duly admitted to the Union of the United States of America, and,

WHEREAS, J. W. Skinner, State Commander of the Veterans of Foreign Wars of the State of Montana, and Colonel Harry O. Willard, U. S. A., retired, Past Vice-Commander, both being not only Veterans of Foreign Wars, but also pioneers living and residing in the State of Montana at the time of its admission to the Union, has caused the different Posts throughout the State of Montana, of the Veterans of Foreign Wars, to adopt a resolution as an expression of our love and reverence for the Great State of Montana and for the Great, Sturdy and Resolute Pioneers of the State of Montana, who made it possible for the state to become a part of the Union, to urge that the House of Representatives of the Twenty-third Legislative Assembly of the State of Montana, the Senate concurring, declare that the 8th day of November of each year shall be a legal holiday within the State of Montana, known and designated as Admission Day,

WHEREAS, said organization of Veterans of Foreign Wars and the noble purposes for which it stands has now and always will occupy a tender place in the hearts of all our citizens, as a patriotic and worthy organization.

THEREFORE, BE IT RESOLVED, that we, the members of the Twenty-third Legislative Assembly, join with the Veterans of Foreign Wars in their resolution, paying our respects to the pioneers of the State of Montana.

BE IT FURTHER RESOLVED, that the 8th day of November of each year is hereby designated as Admission Day, and that the same be observed in a fitting manner by the people of our state in appreciation of the regard and esteem we hold for the State of Montana and the Great Pioneers who made it possible for Montana to be admitted to the Union on November the 8th, 1889.

Referred to Committee on Military Affairs.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second time and referred to committees:

H. B. No. 208, by Breitenstein: A Bill for an Act Entitled: "An Act to amend Section 2435 of the Revised Codes of Montana of 1921 relating to licenses on certain businesses including the sale of cigarettes." Committee on Revenue and Taxation.

H. B. No. 209, by Miles: A Bill for an Act Entitled: "An Act providing for a lien for services in the care or herding of sheep and providing for an attorney fee in an action to enforce said lien." Committee on Judiciary.

H. B. No. 210, by Fowler: A Bill for an Act Entitled: "An Act to amend Sections 3891, 3895, 3896, 3897, 3899 and 3906 of the Revised Codes of the State of Montana, of 1921, and to enact Sections 3906A and 3906B as additional Sections of Chapter 260, part III of the political code of the Revised Codes of Montana of 1921, relating to the filing of schedules of

rates, the inquiry into and investigation of management of public utilities; making unnecessary the permanent employment of an engineer, alteration of rates and hearing thereon, fixing of rates, keeping of records, review of decisions, and assessment of costs." Committee on Public Utilities.

THIRD READING OF HOUSE BILLS

House Bill No. 101, introduced by Committee on Education, having been read three several times history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Groene (Fergus), Haight, Harlen, Harrington, Holecek, Jensen, Kruse, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Pilgeram, Porter, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Spangler, Stephens (McCone), Stiefel, White, Woodcock, Mr. Speaker. Total 6

Noes: Ballard, Byrne, Doe, Grabow, Green (Dawson), Hagerty, Hilger, Kuhl, Miller (Big Horn), Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Quamme, Ragen, Ralston, Setzer, Snidow, Somerville, Stevens (Wheatland), Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal. Total 28.

Absent and not voting: Blankenbaker, Doran, Duffy, Knowles, Nass, O'Connell, Pierson, Shannon, Sparling, Strange, Sullivan. Total 11.

The Speaker: Sixty-two have voted "aye", 28 have voted "no"; H. B. No. 101 has passed the House.

Sub. House Bill No. 27, introduced by Committee on Education, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Breitenstein, Byrne, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Kruse, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Mulholland, Nelstead, Nutting, Parker (Broadwater), Porter, Ragen, Schuster, Setzer, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 59.

Noes: Acher, Ballard, Bjorneby, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Givens, Harlen, Jensen, Kuhl, Miller (Lincoln), Moss, O'Shea, Parker (Flathead), Pilgeram, Quamme, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Stephens (McCone), Waite, Whaley, White. Total 30.

Absent and not voting: Blankenbaker, Doran, Duffy, Fowler, Knowles, Nass, O'Connell, Pierson, Shannon, Sparling, Strange, Sullivan. Total 12.

The Speaker: Fifty-nine have voted "aye", 30 have voted "no"; Sub. H. B. No. 27 has passed the House.

House Bill No. 32, introduced by Abrahamson, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Mc

n, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Repogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Trenne, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 82.

Noes: Annin, Arnold, Findlater, Green (Dawson), Logan, Nutting, Ueland. Total 8.

Absent and not voting: Ballard, Blankenbaker, Duffy, Fowler, Knowles, Nass, O'Connell, Pierson, Sparling, Strange, Sullivan. Total 11

The Speaker: Eighty-two have voted "aye", 8 have voted "no"; H. No. 32 has passed the House.

House Bill No. 140, introduced by Committee on Appropriations, having been read three several times, history and title agreed to was passed the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conr Cusker, Daugherty, Doe, Doran, Ferry, Findlater, Freed, Freudenstein, Gens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larson, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Repogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Ueland, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Blankenbaker, Duffy, Ecton, Fitzstephens, Fowler, Knowles, McElwain, Nass, O'Connell, Pierson, Roll, Sparling, Strange, Sullivan, Trenne. Total 15.

The Speaker: Eighty-six have voted "aye", none have voted "no"; H. No. 140 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Green (Dawson), in the Chair.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Amendments to H. B. No. 11, House Bills Nos. 77, 78, 79, 80, Sub. H. B. No. 70, H. B. No. 145, S. B. No. 67, S. B. No. 21, Sub. H. B. No. 65, H. B. No. 130, H. B. 143, H. B. No. 50, H. B. No. 85, and S. B. No. 140, respectfully report and recommend as follows:

That S. A. to H. B. No. 11 be concurred in.

That H. B. No. 77 be amended by striking out, in line 16 of the title, the words "and container," and that as so amended, the bill do pass.

That the enacting clause to H. B. No. 132 be stricken.

That Sub. H. B. No. 70 do pass.

That H. B. No. 145 be taken from General Orders and re-referred to the Committee on Public Safety.

That S. B. No. 67 be concurred in.

That S. B. No. 21 be concurred in.

That Sub. H. B. No. 65 be amended as follows: By adding in line 2 after first comma, the words, "over one-half ton and," and as so amende the bill do pass.

That H. B. No. 130 do pass.

That H. B. No. 143 do pass.

That H. B. No. 150 do pass.

That H. B. No. 85 be passed for the day.

That S. B. No. 6 be passed for the day.

GREEN, Chairman."

On motion by Green, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day introduce bills as follows:

By Bjorneby: A Bill for an Act Entitled: "An Act authorizing an directing the State Board of Examiners to insure public buildings and the contents thereof owned by the State of Montana; providing for the gradual decrease of such insurance and for the gradual accumulation of a state fire insurance fund; providing for the investment, administration, and maintenance of such fund, and the restoration of state buildings and the contents thereof damaged or destroyed by fire from such state insurance fund.

By Pilgeram: A Bill for an Act Entitled: "An Act to amend Section 145 of the Revised Codes of Montana of 1921, relating to fees of Secretary of State."

By Metlen: A Bill for an Act Entitled: "An Act authorizing action to quiet title to personal property; providing for the procedure in such actions, and the effect of decrees therein."

By Daugherty: A Bill for an Act Entitled: "An Act amending Chapter 260 Revised Codes of 1921, by adding thereto a Section numbered 3883A, fixing the maximum rates for telephone exchange service; making the charging of a greater rate unlawful, and providing penalties for the violation hereof."

By Metlen: A Bill for an Act Entitled: "An Act providing for placing of stock guard appurtenances and gates on public roads connecting with state highways where such roads are fenced and making such stock guard a legal fence appurtenance."

INSTRUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bill was this day introduced, read first and second time and referred to committee:

H. B. No. 211, by Wigal and Watson of Missoula: A Bill for an Act Entitled: "An Act to authorize and provide for the consolidation and merging of the corporate existence and government of the county of Missoula and all cities and towns therein into one municipal corporation and government under the corporate name 'City and County of Missoula,' giving it county status, defining the powers thereof and provide a commissioner mayor plan and form of government therefor and for the submission of the question of the adoption of this Act to the qualified electors of Missoula county." Committee on Townships and Counties.

Besancon: Move the House now adjourn until 10:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

THIRTY-NINTH DAY

House of Representatives,
Helena, Montana, February 9, 1933.

House convened, pursuant to adjournment at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Roll.

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-seventh Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Abrahamson: A Bill for an Act Entitled: "An Act to provide for the support of the government of Montana for the years 1933 and 1934."

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 10481 of the Revised Codes of Montana, 1921, Section 10482 of the Revised Codes of Montana, 1921, as amended by Chapter 12 of the Session Laws of the Twentieth Legislative Assembly; Section 10483 of the Revised Codes of Montana, 1921; and to repeal Section 10487 of the Revised Codes of Montana, 1921; all relating to mothers' pensions."

By Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1213 of the Revised Codes of Montana of 1921 as amended by Chapter 144 of the Session Laws of the Twenty-First Legislative Assembly of Montana relating to the duties of county treasurers with respect to school district funds."

By Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1203 Revised Codes of Montana, 1921, as amended by Chapter 145 Session Laws 1929, relating to special school tax."

By Committee on Appropriations: A Bill for an Act Entitled: "An Act to provide for the appointment of a commission by the Governor of Montana, for the purpose of administering relief funds advanced by the Reconstruction Finance Corporation of the United States, and defining the duties and powers of such commission, and providing an appropriation therefor."

By Annin: A Bill for an Act Entitled: "An Act providing for the supervision, regulation and control of the use of the public highways of the State of Montana by motor carriers engaged in the transportation by motor vehicles of persons and property further upon the public highways of the State of Montana; conferring certain jurisdiction over such transportation, motor vehicles, and their operation upon the Board of Railroad Commissioners; providing for the enforcement of this Act and the punishment for violation thereof; and repealing Chapter 184, Laws of the Twenty-Second Legislative Assembly, 1931."

By Blankenbaker: A Bill for an Act Entitled: "An Act to amend sections 4867 and 4873 of the Revised Codes of Montana, 1921, relating to the salaries of county officers and the compensation allowed deputies and assistants in the various counties in the state."

By Committee on Economy: A Bill for an Act Entitled: "An Act abolishing the office of safety appliance inspector and repealing Section 787 of the Revised Codes of Montana for 1921 as amended by Chapter 10 of the Session Laws of the Twentieth Legislative Assembly relating to the salary of safety appliance inspectors."

By Committee on Economy: A Bill for an Act Entitled: "An Act proposing a license tax on telephone instruments in use in this State Montana and defining a telephone instrument and providing penalties for violation of this Act."

By Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 9, of Title II, Chapter 148 of the Twenty-Second Legislative Assembly, 1931, relating to compensation of secretaries of boards of trustees of county high schools."

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 84, 151, 112, 149, 168 and H. J. R. No. 3, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 196, introduced by Roll: A Bill for an Act Entitled: "An Act amending Section of Chapter 104 of the laws of the Twenty-First Legislative Assembly of the State of Montana relating to the practicing or teaching of cosmetology respectfully report and recommend as follows:

That House Bill No. 196 do pass.

DOE, Chairman."

On motion by Doe, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 28: A Bill for an Act Entitled: "An Act relating to vehicles used in conveying children to and from school, providing rules and regulations governing such vehicles and the driving operation thereof, and describing the duties of drivers of other vehicles with regard thereto," respectfully report and recommend as follows:

That S. B. No. 28 be concurred in.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 109, introduced by Roll: A Bill for an Act Entitled: "An Act regarding the organization, management, control and discipline of the water departments of cities having a population of twenty-eight thousand or more, which own and operate a plant for the supply of water to their inhabitants; establishing a basis for determining the population of such cities; prescribing the powers of the mayor, council and city surveyor, city engineer, or other head of the engineering department, in reference to such water department; dividing the service in such department into unclassified and classified service and specifying such classes; prescribing the qualifications of members in the classified service, their terms, the method of their appointment, trials for misconduct or malfeasance in the classified service, a suspension or discharge, and to provide for a water department examination and trial board to examine all applicants for the classified service in the water department and to try and determine all charges against those engaged in such service; prescribing the method of review of the decisions and sentences of such board; defining the eligible list in the classified service and providing for promotions and filling of vacancies in such service and otherwise relating to matters connected with the classified service of the water departments of such cities." Respectfully report as follows;

That House Bill No. 109 be amended as follows: That all of Section be stricken out, and that the following to be numbered Section 3, be inserted in lieu thereof: "Section 3. The service in the Water Department of a City within the operation of this Act is hereby divided into the following classified service, namely: There shall be four classes of classified service to be known as the clerical, administrative, fiscal class, the outside superintendence class, the plant superintendent class, and the plant operation class. The clerical administrative and fiscal class shall include the registrar; the outside superintendence class shall include the outside superintendent; the plant superintendence class shall include the plant superintendent. Be it further amended that Section 19 be stricken out, and as amended, do pass.

DOE, Chairman."

On motion by Doe, report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 103: A Bill for an Act Entitled: "An Act to repeal Section 976 of the Revised Codes of Montana of 1921 relating to the publication of annual financial statements of school districts by county superintendents of schools," respectfully report and recommend as follows:

That H. B. No. 103, be amended as follows: Amend the title in line by adding the letter "s" to the word "section," and by inserting in the same line after the figure "976" the following figures and word: "977 and 978"; amend Section 1, in line 11, by adding the letter "s" to the word "section," and by inserting in the same line after the figure "976" the following figures and word: "997 and 978"; in line 12 by striking the word "is" and inserting in lieu thereof the word "are"; and as so amended, the bill do pass.

FREED, Chairman."

On motion by Freed, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

State of Montana
Office of the Governor

Helena, February 8, 1933.

Mr. Speaker:

House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 18—An Act appropriating money for the payment of the claim of Catherine Crossland Smith as compensation for expenses incurred by her husband, the late Robert B. Smith, while in the performance of his duties as Governor of the State of Montana.

H. B. No. 69—An Act to amend Section 38 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of Montana, relating to the establishment of district high schools.

J. E. ERICKSON, Governor.

Besancon: Move the communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, February 8, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 39, by Marshall.
H. B. No. 48, by Breitenstein.
H. B. No. 50, by Committee on Privileges and Elections.
H. B. No. 90, by Committee on Economy.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 8, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence.

S. B. No. 68, by Rowland.
S. B. No. 72, by Corwin.
S. B. No. 78, by Kane.
S. B. No. 94, by Kelsey.
S. B. No. 95, by Kelsey.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 8, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

H. B. No. 28—Committee on Compensation.
H. B. No. 57—Committee on Judiciary.
Sub. H. B. No. 74—Committee on Insurance.
H. B. No. 78—Committee on Roads and Highways.
H. B. No. 87—Committee on Judiciary.
H. B. No. 91—Committee on Sanitary Affairs.
H. B. No. 107—Committee on Agriculture.
H. B. No. 111—Committee on Finance and Claims.
H. B. No. 114—Committee on Taxation.
H. B. No. 124—Committee on Roads and Highways.
H. B. No. 128—Committee on Compensation.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 8, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of Introduction of Bill was this day received:

By Kemmis: A Bill for an Act entitled: "An Act to amend Section 3716 of the Revised Codes of Montana of 1921, relating to the possession or use of traps, seines or nets."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 8, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to committees:

S. B. No. 128, by Angvick and Holt: A Bill for an Act entitled: "An Act to create a county land advisory board in each county and defining the powers and duties of such boards." Referred to Committee on Public Lands.

S. B. No. 129, by Pauline, by request: A Bill for an Act entitled: "An Act to make it unlawful for any officer, board, or other agency of the state, or any board of county commissioners, county officer, or school board, or any town or city council, or any city officer, to employ any married woman having a husband ablebodied or financially able to support her; for any position or employment in this state, and making the allowance of any claim, and the issuance or payment of any warrant therefor null and void, and providing penalties for the violation of the Act." Referred to Committee on Labor and Capital.

S. B. No. 130, by Staggs and Jergensen: A Bill for an Act entitled: "An Act to amend Chapter 52 of Political Code of Revised Codes of Montana of 1921 relating to primary nominations by a direct vote, and the primary election; by amending Sections 634, 636, 639, 645, as amended by Chapter 133 of the Session Laws of the Eighteenth Legislative Assembly of 1923 and Section 654 and by the addition thereto of a new section to be known as Section 632-A, all providing for a definition of a political party and describing the candidates that are to be chosen by a political party and further providing for a non-partisan election and describing what candidates shall be chosen and the method by which they shall be chosen as non-partisan candidates; all Acts and parts of Acts in conflict with the provisions of this Act are hereby specifically amended to conform with the provisions of this Act." Referred to Committee on Elections.

S. B. No. 131, by Thien, Kilduff, and Ekegren: A Bill for an Act entitled: "An Act to amend Section 2209 of the Revised Codes of Montana of 1921, as amended by Chapter 156 of the Session Laws of the Twenty-first Legislative Assembly, Montana, relating to the giving notice of application for tax deed." Referred to Committee on Public Lands.

S. B. No. 132, by Thien: A Bill for an Act Entitled: "An Act to aid, assist and facilitate the making of loans to the owners of grain by corporations, associations or agencies created under or by authority of the Act of the Congress of the United States for the purpose of making loans to aid agriculture; providing for the sealing of grain mortgaged to any such corporation, association or agency as security in whole or in part for loans obtained from it, the appointment of sealers by the farm storage commissioner, the issuance of certificates, the filing thereof, the fees to be paid; providing penalties for the breaking of seals and for the removal of sealed grain; prescribing duties of officers and prior lien holders seizing said grain and of the farm storage commissioner." Referred to Committee on Agriculture.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 8, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Page: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 95 of the Session Laws of the Twentieth Legislative Assembly of Montana, relating to protection of forests and forest lands for control of fires."

By Kemmis: A Bill for an Act entitled: "An Act to amend Chapter 8 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 47 of the Session Laws of the Twenty-first Legis-

lative Assembly of 1929, relating to the qualifications of electors entitled to vote upon proposal to create or increase indebtedness of the state, county, city, town, school district or other municipal corporations, and relating to the official duties concerned therewith."

By Kane and Pauline: A Bill for an Act entitled: "An Act to amend Sections 12438 and 1524 of the Revised Codes of the State of Montana of 1921 and Section 1415 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 42 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 149 of the Session Laws of the Twenty-first Legislative Assembly of 1929, relating to the salaries of certain state appointive officers."

By Holt: A Bill for an Act entitled: "An Act providing for a recount of the votes cast at any general or special election or any municipal election by the board of canvassers, pursuant to an order thereupon application made to the district court or a judge thereof by an unsuccessful candidate, and providing for the correction of official canvass by the said board to conform to such recount, and the issuance of certificates of election to the successful candidate as disclosed by such recount."

By Delaney: A Bill for an Act entitled: "An Act to amend Section 6653 of the Revised Codes of Montana 1921, declaring contracts of foreign corporations void unless compliance is made with the provisions of Chapter 41, Part III, of the Civil Code of Montana of 1921, and fixing a penalty for carrying on business by such corporations in violation of law."

By Delaney: A Bill for an Act entitled: "An Act to amend Section 6656 of the Revised Codes of Montana, 1921, relating to penalty for acting as agent for foreign corporations not qualified to do business under Chapter 41, Part III, of the Civil Code of Montana."

By Pauline: A Bill for an Act entitled: "An Act to repeal Section 3664 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, Section 3665 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, as further amended by Chapter 192 of the Session Laws of the Twentieth Legislative Assembly of 1927, and Section 3666 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, relating to the superintendent of state fisheries, his appointment, bond, salary, duties and powers."

By Staggs and Jergensen: A Bill for an Act entitled: "An Act to amend Chapter 54 of the Political Code of the Revised Codes of the State of Montana of 1921, relating to the ballots and their preparation and for general elections in the State of Montana; by the addition thereof of a new section to be known as Section 680-A, and by the amendment of Section 681 of the Revised Codes of the State of Montana of 1921, all providing for the form and preparation of the general election ballot, and further providing the candidates that shall be chosen as non-partisan and those chosen affiliated candidates; and repealing Section 682 of the Revised Codes of the State of Montana and amending all Acts and parts of Acts in conflict with the provisions of this Act so as to conform with the provisions of this Act."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 8, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate standing committee this day reported as follows:

Committee on Counties and Towns: That S. B. No. 75, by Husband Kelsey and Burr, be amended in line 26, page 1, original bill, after the word "than," where it first appears on that line, by striking out

word, "sixty," and inserting in lieu thereof the word, "ninety"; on the same line after the word, "than," where it appears the second time, by striking out the word, "thirty," and inserting in lieu thereof the word "sixty"; on line 19, page 4, after the word, "records," by adding the following sentence: "None of the provisions of the laws of this state with regard to the appointment or compensation of deputy county officers shall apply hereto"; on line 23, page 4 by striking out the words, "unless otherwise," also by striking out all of line 24 and that portion of line 25 before the word, "Director," and inserting the word, "The," before the word, "Director"; on line 25, page 4, by striking out the word, "who," after the word, "Works," and before the word, "Shall"; on line 3, page 5, by striking out the word "including," and inserting in lieu thereof the word, "excepting"; on line 3, page 5, by striking out the word, "excepting," after the word, "and"; on line 11, page 5, by striking out the word, "or," after the word, "claims," and inserting in lieu thereof the word, "for"; on line 20, page 6, by striking out all of that line which appears after the period following the word, "election," and also striking out the words, "herein provided," on line 21, page 6; on line 21, use capital letter "N" in the word, "Nominations," as it appears on that line, by striking out the words, "without the," on line 21; on line 22, page 6, by striking out the words, "intervention of a primary election"; on line 24, page 6, by striking out the word, "and," and inserting in lieu thereof the word, "a"; and as so amended, recommend said bill do pass.

Committee on Roads and Highways: That S. B. No. 81, by Reed, do not pass. Report adopted.

Committee on Roads and Highways: That S. B. No. 104, by Reed, do not pass. Report adopted.

Committee on Roads and Highways: That S. J. M. No. 10, by Husband, do pass. Report adopted.

Committee on Judiciary: That S. B. No. 101 do not pass. Report adopted.

Committee on Judiciary: That S. B. No. 115 do pass. Report adopted.

Committee on Judiciary: That S. B. No. 123 do not pass. Report adopted.

Committee on Judiciary: That S. J. M. No. 12 do not pass. Report adopted.

Committee on Judiciary: That H. B. No. 45 be concurred in. Report adopted.

Committee on Agriculture: That S. B. No. 105, by Committee on Agriculture, be amended in line 25, page 1, by striking out the word "of," and inserting in lieu thereof the word, "than"; and as so amended, recommend said bill do pass. Report adopted.

Committee on Agriculture: That S. B. No. 106, by Committee on Agriculture, be amended by striking out in lines 24 and 25, page 3, directly after the word "persons," at the end of line 23 the words, "and turning over such supplies and equipment to them at actual cost, plus necessary expenses"; and as so amended, recommend said bill do pass. Report adopted.

Committee on Federal Relations: That S. J. R. No. 3, by Duncan, do pass. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND
SECOND READING OF SAME

The following bills and memorials were this day introduced, re first and second times and referred to committees:

S. B. No. 68, introduced by Rowland: A Bill for an Act entitled "An Act to amend Section 2410 of the Revised Codes of Montana of 1911 relating to the preparing and printing of licenses by the county clerk and the furnishing of the same to the county treasurer, and repealing Sections 2411, 2412 of the Revised Codes of Montana of 1921 relating thereto." Committee on Townships and Counties.

S. B. No. 72, introduced by Corwin: A Bill for an Act entitled: "An Act regulating the business of warehousing or storing beans and requiring all persons engaged in that business to first procure a license and furnish a bond and prescribing penalties for a violation of the Act and prescribing the powers and duties of the Commissioner of Agriculture." Committee on Agriculture.

S. B. No. 78, introduced by Kane: A Bill for an Act entitled: "An Act to amend Section 6 of Chapter 89 of the Montana Session Laws of 1925 relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase land sold for delinquent taxes; to purchase and take assignments of certificates of title to said lands; to take title to land so sold for taxes and to purchase such lands in the county when tax deed therefor have issued to the county and to manage, operate, lease, sell and dispose of the same for the interest and benefit of the district on such terms as may seem for the best interest of such district; to commence, maintain, and prosecute suits to quiet title as to the land so purchased." Committee on Irrigation.

S. B. No. 94, introduced by Kelsey: A Bill for an Act entitled: "An Act to amend Section 1023 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 18 of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to limitations in connection with the creation of school districts or changing the boundaries thereof." Committee on Education.

S. B. No. 95, introduced by Kelsey: A Bill for an Act entitled: "An Act placing limitations as to the boundaries and valuation of old school districts on the creation of new ones." Committee on Education.

H. B. No. 212, by Roll: A Bill for an Act entitled: "An Act to regulate and govern the sanitary conditions under which wall paper, kalsomine or other substitute wall covering shall be placed on the walls or ceiling of rooms or halls in hotels, rooming houses or other houses or structures owned or maintained for rental purposes, and to regulate and govern the number of coats of kalsomine, wall paper or other substitute wall covering excepting oil paints that may be affixed and to make a violation of any of the provisions of this Act a misdemeanor, and to repeal Section 2499 of the Revised Codes of Montana of 1921." Committee on Public Health and Sanitary Affairs.

H. B. No. 213, by Committee on Agriculture: A Bill for an Act entitled: "An Act to prohibit the foreclosure of all real estate mortgages and/or contracts in the State of Montana for a period of two years from the passage and approval of this Act and extending the statute of limitations heretofore provided for the suits on real estate notes and/or contracts and foreclosure of mortgages securing said notes and/or contracts." Committee on Judiciary.

H. B. No. 214, by Committee on Appropriations: A Bill for an Act entitled: "An Act to amend Sections 295, 297, 298 and 299 Revised Codes of Montana, 1921, the same being 'An Act to provide a budget system for the control of all expenditures of state money'." Committee on Appropriations.

H. B. No. 215, by Committee on Dairies and Dairying: A Bill for an Act entitled: "An Act to amend Section 30 of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly of Montana of 1929 as amended by Chapter 39 of the Session Laws of the Twenty-second Legislative Assembly of Montana for 1931, relating to standard butter measure." Committee on Dairies and Dairying.

H. B. No. 216, by Committee on Dairies and Dairying: A Bill for an Act entitled: "An Act to amend Section 2 of Chapter 182 of the Session Laws of the Twenty-second Legislative Assembly of Montana for 1931 relating to deceit in weight, grade, measure or test in sale of milk cream; and providing a penalty for violation." Committee on Dairies and Dairying.

H. B. No. 217, by Committee on Townships and Counties: A Bill for an Act entitled: "An Act abandoning, abolishing and terminating the organization and political and corporate existence of the counties of Bearhead, Blaine, Broadwater, Carter, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Toole, Treasure, Valley, Wheatland, and Wibaux, and abandoning, abolishing and terminating the terms of office of all legislative, county and township officers therein; providing for the payment of the debts and the disposition of the property and assets of the counties so abandoned, abolished and terminated; creating the new counties of Blaine, Custer, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Jefferson, Madison, Meagher, Missoula, Rosebud, Sheridan, Sweet Grass, Toole and Valley counties, and providing for the organization thereof, designating the officers thereof, the judicial districts to which the same shall be attached, and providing for their representation in the Legislative Assembly of the State of Montana." Committee on Townships and Counties.

H. B. No. 218, by Committee on Agriculture: A Bill for an Act entitled: "An Act providing for the appointment and removal of a herd strict pound master, and for the impounding by him of livestock running at large in any herd district, and prescribing the amount of the fees to be collected by said pound master for livestock so impounded, and for the payment to him of necessary charges and costs of keeping and selling said livestock, and providing for the sale of said livestock upon the failure of the owner, owners or persons entitled to the possession thereof, to claim the same and to pay the fees, charges and costs and fixing the compensation of such pound master." Committee on Agriculture.

H. B. No. 219, by Holecek: A Bill for an Act entitled: "An Act to amend Section 8157 of the Revised Codes of the State of Montana, 1921, relating to measure of indemnity in case of loss by fire." Committee on Insurance.

H. B. No. 220, by Watson of Meagher, Somerville and Grabow: A Bill for an Act entitled: "An Act providing for the establishment and operation of a central accounting department and central accounting system in and for the State of Montana for all departments, bureaus, institutions, boards and other agencies, and providing an appropriation to carry out the provisions of this Act." Committee on Appropriations.

H. B. No. 221, by Somerville: A Bill for an Act entitled: "An Act to amend Section 10651 of the Revised Codes of Montana of 1921, relating to depositions; providing for the physical examination of a party to an action when material; prescribing the terms and method of such examination." Committee on Judiciary.

H. B. No. 222, by Logan and Byrne, by request: A Bill for an Act entitled: "An Act to amend Section 1 of Chapter 19 of the Session Laws of 1927, Section 2 of Chapter 19 of the Session Laws of 1927, as amended

by Chapter 92 of the Session Laws of 1929 and Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates and corporations engaged in or carrying on the business of selling, handling or using gasoline to pay to the State Board of Equalization certain license taxes for engaging in and carrying on such business in this state, defining terms, fixing the amount of such license taxes and providing the method for the assessment and collection thereof; also to repeal Sections 2381, 2382, and 2383 of the Revised Codes of Montana, 1921." Committee on Highways.

H. B. No. 223, by Judiciary Committee: A Bill for an Act entitled "An Act to amend Sections 9664 and 9680, Revised Codes of Montana, 1921, relating to judgments by default and judgments (other than by default) in justice courts." Committee on Judiciary.

H. B. No. 224, by Daugherty, by request; A Bill for an Act entitled "An Act amending Chapter 260 Revised Codes of 1921, by adding therein a section numbered 3883A, fixing the maximum rates for telephone exchange service; making the charging of a greater rate unlawful, and providing penalties for the violation thereof." Committee on Public Utilities and State Commissions.

H. J. M. No. 5, by Nelstead: "Memorial to the Congress of the United States opposing repeal of provisions for care of disabled veterans of the world war." Committee on Military Affairs.

H. J. M. No. 6, by Besancon: A Memorial to the Congress of the United States of America requesting enactment of U. S. Senate Bills Nos. 5417 and 5471 relating to suspension of payments and loans to the reclamation funds of irrigation projects." Committee on Irrigation.

MOTIONS AND RESOLUTIONS

Larsen: Move that S. B. No. 21 be taken from third reading and referred to Committee on Judiciary. Seconded. Carried.

THIRD READING OF SENATE BILLS

S. B. No. 67, introduced by Kemmis, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlat, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Hilger, Holecek, Jensen, Kuhl, Lew, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Neister, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Peterson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somervill, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigwoodcock, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Blankenbaker, Fitzstephens, Harlen, Harrington, Knowles, Kruse, Larsen, Logan, Nass, Ralston, Roll, Shannon, Strang, Watson (Missoula). Total 14.

The Speaker: Eighty-seven have voted "aye," none have voted "no." S. B. No. 67 has been concurred in by the House.

THIRD READING OF HOUSE BILLS

S. A. H. B. No. 11, introduced by Watson of Missoula, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene Fergus), Hagerty, Harrington, Hilger, Holecek, Jensen, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metten, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Spangler. Total 1.

Absent and not voting: Blankenbaker, Ferry, Fitzstephens, Haight, Harlen, Knowles, Kruse, Larsen, Logan, Roll, Shannon, Strange, Sullivan, Watson (Missoula). Total 14.

The Speaker: Eighty-six have voted "aye," 1 has voted "no"; S. A. H. B. No. 11 have been concurred in by the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rule of the previous sittings. Seconded. Carried.

Ralston of Glacier in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 85, S. B. No. 6, House Bills Nos. 163, 158, 93, J. M. No. 2, S. B. No. 35, respectfully report and recommend as follows:

That H. B. No. 85 be amended as follows: Amend Section 1 by striking out all of lines 4 to 15 inclusive, and inserting in lieu thereof the following: Section 5127, State Auditor to pro rate among and issue his warrant for payment to cities and towns (75%) seventy-five per centum of licenses collected. At the end of the fiscal year the State Auditor shall issue and deliver to the treasurer of every city, his warrant for an amount to be computed as follows:

1. Fifty per centum (50%) of the licenses collected by the State Auditor under Section 6112 of these Codes, in proportion to the premiums so paid and collected by the said Fire Insurance Commissioner in such cities and towns to the total premium paid and collected by fire insurance companies in the entire state, shall be paid to each city and town qualified under the provisions of these Codes.

2. Out of the remaining twenty-five per centum (25%) of the licenses collected there shall be paid to those cities and towns, which under the provisions of sub-division 1 of this section, do not receive one hundred dollars (\$100.00) per annum, an amount sufficient to increase the amount paid to said cities and towns to one hundred dollars (\$100.00) per annum.

3. After the deductions as provided for in sub-division 2 of this Act have been made, the remaining portion of the twenty-five per centum (25%) of all licenses collected shall be pro rated among and paid to the

treasurer of the cities and towns in proportion to the premiums so paid and collected by the said fire insurance companies in such cities and towns to the total premiums paid and collected by fire insurance companies in the entire state.

4. The State Auditor shall pay an amount equal to the face value of the warrants so issued to the credit of a special fund into the State Treasury which fund shall be known as the "disability and pension fund" of the Fire Department Relief Association, and for that purpose, there is hereby created a fund to be known as the "disability and pension fund" of the Fire Department Relief Association, and the State Treasurer is hereby directed and authorized to keep such an amount of said fund," and that as so amended the bill do pass.

That S. B. No. 6 be passed for the day.

That H. B. No. 163 be taken from General Orders and referred to the Committee on Appropriations.

That H. B. No. 158 be taken from General Orders and re-referred to the Committee on Revenue and Taxation.

That H. B. No. 93 do pass.

That S. J. M. No. 2 be concurred in.

That S. B. No. 35 be concurred in.

RALSTON, Chairman."

Ralston: Move the report be adopted. Seconded.

Duffy: Move that S. B. No. 35 be segregated from the report of the Committee of the Whole, and that a roll call be taken on this motion and the roll call be entered on the Journal. Seconded.

A roll call was thereupon had, and the motion was defeated, 25 voting "aye" and 65 voting "no." The request that the roll call be entered on the Journal was later withdrawn.

The motion of Ralston that the report of the Committee of the Whole be adopted was thereupon put to vote and carried.

MOTIONS AND RESOLUTIONS

Byrne: Move that S. B. No. 29 be taken from the Committee on Townships and Counties and re-referred to the Committee on Economy. Seconded. Carried.

Besancon: Move the House now adjourn until 2:30 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 2:30 o'clock p. m.

Mr. Speaker in the Chair.

The Speaker:

Members of the House:

With relation to the proper motion in Committee of the Whole, and the proper report of same concerning a Senate Bill when it is desired to reject the same or take adverse action of the same:

The motion to recommend that the enacting clause be stricken, which having the sanction of usage, is not a proper motion to make with relation to a Senate Bill. The motion to strike the enacting clause is a summary execution of the bill and is proper in the House where the bill originates.

The following motion is suggested as one more respectful to another Legislative Body to-wit:

"I move you that when this Committee arise and report, having been under consideration Senate Bill _____ that it recommend that Senate Bill _____ be not concurred in, and that the same be returned to the Senate."

DELLWO, Speaker.

NOTICES

Authors gave notice that they will on tomorrow or some subsequent day, introduce bills as follows:

By Campbell: A Bill for an Act Entitled: "An Act appropriating money for the payment of a certain claim made by Pietro Maria Amabile Totti, as consular agent of Italy at Butte, Montana by reason of certain moneys belonging to Frank Deorro, deceased, and paid and delivered to the State Treasurer of the State of Montana as an escheated estate and directing the State Auditor to draw his warrant in settlement of said claim."

By Watson (Meagher): A Bill for an Act Entitled: "An Act repealing Section 1187 of the Revised Codes of Montana, 1921, relating to appointment of a State Textbook Commission, and providing for a board of commissioners from among the membership of the State Board of Education to constitute the State Textbook Commission."

By McDermott: A Bill for an Act Entitled: "An Act providing a method by which refund or draw-back may be obtained of license taxes paid on gasoline used and consumed by cities and incorporated towns and prescribing the procedure for obtaining refund or draw-back."

By Shannon: A Bill for an Act Entitled: "An Act to authorize Boards of County Commissioners in this state to purchase, acquire, establish and maintain gasoline tanks and stations; to purchase gasoline, oil and lubricants for the use of their several counties and to purchase and sell at retail to the public generally gasoline, oil and lubricants."

By Nutting: A Bill for an Act Entitled: "An Act to appropriate money from the general fund of the state to compensate J. G. Link, Inc., for services rendered by it to the State of Montana as architect of the dining hall and guards quarters building of the State Prison at Deer Lodge, Montana, and to reimburse it for the cost of a visit made by its agent to San Quentin and Folsom prisons in California at the instance of the State Board of Examiners."

By White: A Bill for an Act Entitled: "An Act Amending Chapter 5 of part V of the Revised Codes of Montana, 1921, by the addition thereto of one new Section to be known as Section 7683 (a) providing for attorney's fee in actions by the owner, keeper or proprietor of any inn or hotel, restaurant, cafe, eating place, lunch counter, apartment, rooming, lodging or boarding house, or hospital, against any person, guest boarder or lodger for food, meal or meals, lodging, entertainment or accommodations furnished; describing the minimum fee to be allowed by the justice court and by the district court; and when the attorney's fee attaches; amending Section 7684 of the Revised Codes of Montana, 1921, relating to defrauding the owner, keeper or proprietor of any inn, or hotel, restaurant, cafe, eating place, lunch counter, apartment, rooming, lodging or boarding house, or hospital, and fixing the penalty therefor."

By Nutting: A Bill for an Act Entitled: "An Act repealing Section 69, Article 5, Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly relating to high school supervision."

By Rognlien: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, and Section 3 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 141 of the Twentieth Legislative Assembly of 1927, relating to tax on direct and collateral inheritances, bequests and devises, and to provide for its assessment and collection."

By Roll: A Bill for an Act Entitled: "An Act providing for consolidation of school districts; providing for transportation and providing certain districts shall not receive aid from the county or state common school equalization fund."

By Committee on Education: A Bill for an Act Entitled: "An Act to amend Sections 1187, 1188, 1198 of Chapter 96 of the Revised Codes of Montana, 1921, relating to textbooks."

By Parker of Flathead, Ueland, Chapman, Love: A Bill for an Act Entitled: "An Act appropriating money to pay a judgment of the Supreme Court of Montana in the sum of five thousand three hundred and twenty-seven dollars and five cents rendered on February 8, 1933, against the Montana State Board of Equalization and its members."

By Committee on Dairying: A Bill for an Act Entitled: "An Act regulating the sale of frozen desserts, defining certain frozen products and fixing penalty for the violation hereof."

By Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Code Section 5239 relating to sewer systems in cities and towns and the collection of revenue to defray the cost and maintenance thereof and providing for a system of sewer rentals."

By Woodcock, by request: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of the State of Montana as amended by Chapter 79 of the Laws of the Twenty-First Legislative Assembly of the State of Montana and as further amended by Section 1 of Chapter 67 of the Laws of the Twenty-Second Legislative Assembly of the State of Montana and Section 2166 of the Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 96 of the Eighteenth Legislative Assembly of the State of Montana, and as further amended by Section 2 of Chapter 67 of the Laws of the Twenty-Second Legislative Assembly of the State of Montana, relating to the collection of taxes and the time and method of collecting the same, the interest thereon and providing penalties for the delinquency thereof, and the form of notice of such delinquency."

By Committee on Townships and Counties: A Bill for an Act Entitled: "An Act to amend Sections 8904 and 8906 Revised Codes of Montana 1921, providing the manner of drawing trial jurors in the district court."

By Parker of Flathead: A Bill for an Act Entitled: "An Act to amend Section 6198 of the Revised Codes of Montana, 1921, concerning mutual rural fire insurance companies, and providing for the lawful insurance of such corporations of certain additional properties to be named and designated in said Act."

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 48.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 50.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 39.

Besancon: Move to suspend the rules regarding Notices of Introduction of Bills for the remainder of the Session. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following Bills correctly enrolled: H. B. No. 39, H. B. No. 50, and H. B. No. 50.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered as correctly engrossed:

H. B. No. 143.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. No. 73, H. B. No. 75, and H. B. No. 97.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 8 and 22, do hereby report that said bills, together with copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:00 o'clock a. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing to whom were referred House Bills Nos. 146, 172, 156, 142 and 152, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration S. B. No. 25, introduced by Kaulbach and Galt: A Bill for an Act Entitled; "An Act to amend Sections 4525 and 4526 of the Revised Codes of Montana of 1921, providing for the letting of contracts by boards' of county commissioners for the care, support and maintenance of the indigent sick, poor and infirm of the county," respectfully report and recommend as follows: That S. B. No. 25 be concurred in.

BRYNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Mines and Mining; having had under consideration S. J. M. No. 8, introduced by Reed, a memorial memorializing the President and Congress of the United States to support or initiate a movement to stabilize the monetary and credit basis so as to improve world commodity prices," respectfully report and recommend as follows: That S. J. M. No. 8 be concurred in.

McDERMOTT, Chairman."

On motion by McDermott, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration H. B. No. 193; A Bill for an Act Entitled: "An Act to appropriate \$703.39 to Deloraine Oil Syndicate, Limited, Deloraine, Man. Canada, in settlement of overpaid taxes, penalty and interest," respectfully report and recommend as follows:

That H. B. No. 193 do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration H. B. No. 95, introduced by Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 127 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana 1929 and to amend Sections 3 and 9 of the Session Laws of the Twenty-First Assembly of the State of Montana 1929 as amended by Chapter 18 of the Session Laws of the Twenty-Second Legislative Assembly of the

State of Montana 1931, defining the practice of barbering, the qualifications and certificate and registration of registered barbers; defining powers and duties of the Board of Examiners." Respectfully report and recommend as follows: That H. B. No. 95 be amended as follows: Amend Section 9 of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly of Montana 1929; (Line 30, Page 3, Sec. 9 begin). Amend Section 9, page 4, line 27, by adding the following words: "The Board shall have power to revoke any certificate of registration granted by it under this Act for gross malpractice, gross incompetency, habitual drunkenness or habitual use of morphine, cocaine, or other habit forming drugs, failure or refusal to properly provide or guard against infectious and contagious diseases, or the spreading thereof, in the practice of the occupation aforesaid or violation of the rules of the Board; provided, that before any certificate shall be revoked, the holder thereof shall have notice in writing of the charge or charges against him, and shall, at a time specified in said notice, at least five days after the service thereof, be given a public hearing of said charge by said Board, and full opportunity to produce testimony in his behalf and to confront the witnesses against him." Be it further amended: "In paragraph (b), Section 3, page 2, line 20, by adding the words "except as provided for in paragraph (c) of Section eleven (11) of Chapter 127 of the Session Laws of the Twenty-first Legislative Assembly of 1929, as amended by Chapter 18 of the Session Laws of 1931." And as amended, do pass.

DOE, Chairman."

On motion by Doe, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration H. B. No. 183: A Bill for an Act Entitled: "An Act to repeal Sections 1928, 1929 and 1932 of the Revised Codes of Montana of 1921, as amended by Chapter 6 of the Laws of the State of Montana of 1923 and Sections 1929, 1931, 1933, 1934, 1935, 1936, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947 and 1948 of the Revised Codes of Montana of 1921, all of the said Sections relating to the investment of the common school permanent fund and other permanent funds of the State of Montana, including the investment of such funds in farm mortgage loans," respectfully report and recommend as follows:

That H. B. No. 183 do pass.

METLEN, Chairman."

On motion by Metlen, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration H. B. No. 170, introduced by Woodcock and Blankenbaker: A Bill for an Act Entitled: "An Act to amend Section 4453 of the Revised Codes of Montana, 1921, relating to qualifications of county commissioners." Respectfully report and recommend as follows: That H. B. No. 170 do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration H. B. No. 186, introduced by Logan, by request of Blankenbaker: A Bill for an Act Entitled: "An Act to permit county commissioners and other similar agencies, to appropriate funds from the general funds of the counties for the employment of help and payment of expenses in the administration of such relief." Respectfully report and recommend as follows:

That H. B. No. 186 do pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration S. B. No. 53, introduced by Reed: A Bill for an Act Entitled: "An Act to amend Section 4874 of the Revised Codes of Montana, 1921, as amended by Chapter 82 of the Session Laws of the Eighteenth Legislative Assembly of Montana, relating to the authority of the County Commissioners to fix the compensation and appointment of deputy county officers," respectfully report and recommend as follows:

That S. B. No. 53 be not concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: Chairmen of Appropriations, Revenue and Taxation, and Education Committees, make the following appointments on committee named to consider allotment of anticipated new revenue:

APPROPRIATIONS:

Shannon

Logan.

REVENUE AND TAXATION:

Waite.

Byrne.

EDUCATION:

Marshall.

Rolph.

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration H. B. No. 25: A Bill for an Act Entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate, and corporation engaging in or carrying on the business of distributing to the public within this state natural gas, to pay to the State Treasurer for engaging in carrying on such business certain license fees for the executive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of the provisions of this Act," respectfully report and recommend as follows:

That H. B. No. 25 do not pass, but that Substitute House Bill, No. 25, with attached do pass: A Bill for an Act Entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaging in or carrying on the business of distributing natural gas within this state or conducting the same through a pipe line to a point outside the state; to pay to the State Treasurer for engaging in carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing the method for the assessment and collection thereof; and prescribing penalties for the violation of the provisions of this Act."

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Helena, February 9, 1933.

Mr. Speaker:
House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House Measures:

H. B. No. 9—Relating to the powers, duties and reports of Building and Loan Associations.

H. B. No. 22—An Act authorizing the issuance of bonds of the State of Montana to fund indebtedness of said state evidenced by general fund warrants and providing for the payment thereof.

J. E. ERICKSON, Governor."

Watson of Missoula was excused for the day because of illness.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bills were introduced, read first and second time and referred to committees:

H. B. No. 225, by Committee on State Lands: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 108 of the Session Laws of the State of Montana of 1927, as amended by Chapter 193 of the Session Laws of the State of Montana of 1931 and also to amend Sections 6, 15 and 20 of said Chapter 108, all of said four Sections relating to the leasing of state lands for oil and gas development." Committee on State Lands.

H. B. No. 226, by Givens: A Bill for an Act Entitled: "An Act providing for certain notices to be given by county commissioners in event of sale by county of real estate which the county had theretofore required by tax deed, and providing for right of redemption by last owner, judgment debtors, mortgagees, or assignees, of record." Committee on Revenue and Taxation.

H. B. No. 227, by Wigal: A Bill for an Act Entitled: "An Act to amend Section 20 of Chapter 93 of the Session Laws of the Twenty-Fifth Legislative Assembly of the State of Montana relating to location and construction of creameries and cheese factories and ice cream factories." Committee on Dairies and Dairying.

H. B. No. 228, by Committee on Judiciary: A Bill for an Act Entitled: "An Act to amend Section 7729 of the Revised Codes of the State of Montana of 1921 relating to the rate of interest on judgments and fixing the same at six per cent instead of eight per cent." Committee on Judiciary.

H. B. No. 229, by Committee on Judiciary: A Bill for an Act Entitled: "An Act to amend Section 7725 of the Revised Codes of the State of Montana of 1921 relating to the statutory rate of interest and fixing the same, when not otherwise provided by contract, at six per cent, instead of eight per cent." Committee on Judiciary.

H. B. No. 230, by Bjorneby: A Bill for an Act Entitled: "An Act authorizing and directing the State Board of Examiners to insure public buildings and the contents thereof owned by the State of Montana; providing for the gradual decrease of such insurance and for the gradual accumulation of a state fire insurance fund; providing for the investment, administration, and maintenance of such fund, and the restoration of state buildings and the contents thereof damaged or destroyed by fire from such state insurance fund." Committee on Insurance.

H. B. No. 231 by Metlen: A Bill for an Act Entitled; "An Act authorizing actions to quiet title to personal property; providing for the procedure in such actions and the effect of decrees therein." Committee on Judiciary.

H. B. No. 232, by Pierson, by request: A Bill for an Act Entitled: "An Act amending Section 9108 of the Revised Codes of Montana 1913 relating to the manner and time of issuing alias summons." Committee on Judiciary.

H. B. No. 233, by Harrington: A Bill for an Act Entitled: "An Act prohibiting the sale or exchange in the open market of goods, wares and merchandise produced, manufactured or mined by convicts or prisoners under sentence in the state, or, in or by any penal or reformatory institution of the state, or produced, manufactured or mined by convicts or prisoners outside the state or in or by any penal or reformatory institution of the United States or any state or foreign country and transported to this state for use or consumption therein; providing for the sale or exchange of goods, wares and merchandise made in or by any penal or reformatory institution of the state to or with any other penal or reformatory institution or any charitable or custodial institution, the major portion of whose maintenance is contributed by the state or some political subdivisions thereof; authorizing the Board of State Prison Commissioners to make rules to govern the conduct of industries in the penal and reformatory institutions of the state, to facilitate the sale and exchange of such goods, wares and merchandise and to require the setting up in the penal and reformatory institutions of the state of a cost-accounting system in connection with the manufacture or production of goods, wares and merchandise therein; and fixing penalties for a violation of the provisions thereof. Committee on Labor.

THIRD READING OF SENATE BILLS

Without objection, bills on third reading were read by history and title and section number only.

Senate Joint Memorial No. 2 introduced by Holton and Angvick, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Connor, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Groene (Fergus), Haight, Harrington, Jensen, Kruse, Kuhl, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Mes, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, Oshea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porten, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Reggle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Woodcock, Mr. Speaker: Total 82.

Noes: Abrahamson, Hilger, Holecek, Knowles, Miller (Big Horn), Engen. Total 5.

Absent and not voting: Abrahamson, Byrne, Doran, Grabow, Haggey, Harlen, Larsen, Lott, Nutting, Roll, Stevens (Wheatland), Sullivan, Watson (Missoula), Wigal. Total 14.

The Speaker: Eighty-two have voted "aye", 5 have voted "no"; S. J. M. No. 2 has been concurred in the House.

Senate Bill No. 35, introduced by Willis, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Besancon, Bjorneby, Breitenstein, Campbell, Doe, Findlater, Fitzstephens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Hilger, Jensen, Knowles, Kruse, Kuhl, Logan, Lott, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Moss, Nelstead, Nutting, Parker (Flathead), Quamme, Ragen, Ralston, Rognlien, Roll, Setzer, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Woodcock, Mr. Speaker. Total 51.

Noes: Abrahamson, Ballard, Beadle, Blankenbaker, Chapman, Cusker, Daugherty, Duffy, Ecton, Ferry, Freed, Freudenstein, Goodwin, Harrington, Holecek, Lewis, Love, McCarvel, McDermott, McElwain, Manning, Metlen, Miles, Mulholland, Nass, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Schuster, Snidow, Stephens (McCone). Total 36.

Absent and not voting: Byrne, Conner, Doran, Fowler, Givens, Haight, Harlen, Larsen, Porter, Rolph, Shannon, Sullivan, Watson (Missoula), Wigal. Total 14.

The Speaker: Fifty-one have voted "aye," 36 have voted "no," S. B. No. 35 has been concurred in by the House.

THIRD READING OF HOUSE BILLS

House Bill No. 143, introduced by Mason, having been read the several times history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Goodwin, Grabow, Gorman (Dawson), Groene (Fergus), Hagerty, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Woodcock, Mr. Speaker. Total 90.

Noes: None.

Absent and not voting: Doran, Fowler, Givens, Haight, Harlen, Jensen, Shannon, Strange, Sullivan, Watson (Missoula), Wigal. Total 14.

The Speaker: Ninety have voted "aye," none have voted "no"; H. B. No. 143 has passed the House.

House Bill No. 73, introduced by Jensen, having been read the several times history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Gorman (Dawson), Groene (Fergus), Hagerty, Harrington, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Woodcock, Mr. Speaker. Total 88.

Noes: Givens, Lewis, McElwain, Rearden (Cascade). Total 4.

Absent and not voting: Annin, Freed, Haight, Harlen, Kruse, Somerville, Sullivan, Watson (Missoula), Wigal. Total 9.

The Speaker: Eighty-eight have voted "aye," 4 have voted "no"; House Bill No. 73 has passed the House.

House Bill No. 75, introduced by Ecton, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ferry, Findalter, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Harrington, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Mettle Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens, (Wheatland), Stiefel, Trenne, Ueland, Waite, Whaley, White, Woodcock, Mr. Speaker. Total 83.

Noes: Arnold. Total 1.

Absent and not voting: Acher, Annin, Ecton, Fowler, Freed, Hagerty, Hight, Harlen, Kruse, McElwain, Rognlien, Shannon, Strange, Sullivan, Wilson (Meagher), Watson (Missoula), Wigal. Total 17.

The Speaker: Eighty-three have voted "aye", 1 has voted "no"; H. B. No. 75 has passed the House.

House Bill No. 97, introduced by Byrne, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Lawson), Groene (Fergus), Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Moss, Mulholland, Ns, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Seier, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Whaley, White, Woodcock, Mr. Speaker. Total 87.

Noes: Miles, Miller (Big Horn), Miller (Lincoln), Porter. Total 4.

Absent and not voting: Blankenbaker, Freed, Hagerty, Harlen, Shannon, Strange, Sullivan, Watson (Meagher), Watson (Missoula), Wigal. Total 10.

The Speaker: Eighty-seven have voted "aye", 4 have voted "no"; H. B. No. 97 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders under the rules of the previous sitting.

Ralston of Glacier in the Chair.

Committee arose.

House resumed.

Mr. Speaker pro tem in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 84, 151, 112, 149, 168, H. J. R. No. 3, H. B. No. 86, respectfully report and recommend as follows:

That H. B. No. 84 do pass.

That H. B. No. 151 do pass.

That H. B. No. 112 do pass.
 That H. B. No. 149 do pass.
 That H. B. No. 168 do pass.
 That H. J. R. No. 3 do pass.
 That H. B. No. 86 have enacting clause stricken.

RALSTON, Chairman."

On motion by Ralston, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS, AND SECOND READING OF SAME

The following Bill was this day introduced, read first and second times and referred to Committee on Education:

H. B. No. 234, by O'Connell: A Bill for an Act Entitled: "An Act amending Section 1175, Revised Codes of Montana, 1921, providing for the light and ventilation of school buildings; regulating the approval of plans therefor by the State Board of Health, and providing a penalty for the violation of the provisions of this Act."

Besancon: Move the House now adjourn until 10:00 o'clock a. m. February 17th, 1933. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTIETH DAY

House of Representatives,
 Helena, Montana, February 10, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills correctly engrossed: Sub. H. B. No. 65, H. Nos. 150, 77, 130 and Sub. H. B. 70.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having under consideration House Bill No. 175: A Bill for an Act Entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of 1923 and by Chapter 88 of the Laws of 1927, and as amended by Chapter 182 of the Laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers and dealers in motor vehicles or automobile accessories the distribution of revenue received from motor registration fees; specifying the purposes

with the same may be expended, providing for the disbursement thereof, providing penalties for the violation thereof and repealing all Acts or parts of Acts in conflict herewith." Respectfully report and recommend as follows:

That H. B. No. 175 be printed and placed on General Orders without recommendation.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 117: A Bill for an Act Entitled: "An Act abolishing liability of cities and towns in the State of Montana on account of defects, holes, obstructions or depressions in streets, sidewalks, and public ways." Respectfully report as follows:

That House Bill No. 117 be amended as follows: In line 9, strike out the semi-colon after the word "part" and inserting in lieu thereof a comma. In line 12 after the word "any" strike the following; "road, street, alley" and after the word "sidewalk" in the same line, insert the word "or." In line 13 strike out the words "public way, or gutter" and substitute as so amended, recommend the Bill do pass.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 179: A Bill for an Act Entitled: "An Act providing for the payment of filing fees by candidates for mayor and councilmen in cities operating under the commission form of government," respectfully report and recommend as follows:

That H. B. No. 179 do pass.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities having had under consideration S. B. No. 7: A Bill for an Act Entitled: "An Act legalizing and validating all elections heretofore held in any city of this state, authorizing the creation or increase of the indebtedness of such city within or exceeding three per centum of the total assessed valuation of the taxable property of said city, as ascertained by the last assessment for state and county purposes, for any of the purposes set forth in subdivision 64, Section 5039, Revised Codes of Montana, 1921, as amended, and Section 1, Chapter 160, Session Laws of Montana, 1931, which elections were held after notice published and posted, as provided in Section 5039, or Section 8, Chapter 160, of the Session Laws of Montana 1931, at which the proposal to create or increase said indebtedness received a majority of all votes tendered and of all votes cast at such election," respectfully report and recommend as follows:

That S. B. No. 7, be placed on General Orders without recommendation.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 169: A Bill for an Act Entitled: "An Act to amend Section 4973 of the Revised Codes of Montana of 1921 pertaining cities to be reduced in class or to be reduced to towns," respectfully report and recommend as follows:

That H. B. No. 169 do not pass.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 200: A Bill for an Act Entitled: "An Act authorizing city and town councils owning and operating municipal water works to transfer by resolution surplus revenue earned by municipal water works to the general funds for municipal purposes and providing for all costs of operating, debts, interest and depreciation, and repealing all Acts and parts of Acts in conflict herewith." Respectfully report and recommend as follows:

That H. B. No. 200 do pass.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 131: A Bill for an Act Entitled: "An Act to amend Section 4 of Chapter 93 of the Session Laws of the Twenty-First Legislative Assembly as amended by Chapter 39 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, defining certain dairy products and certain places of business and specifying the contents of butter, renovated butter, cheese, skimmed milk cheese, and various kinds of ice cream, and also defining the words permit and department." Respectfully report and recommend as follows:

That H. B. No. 131 be amended as follows: By striking out after the word "factory" in line 1, page 3 of the original bill all the remainder of line 1 and all of line 2 and inserting in lieu thereof, the following: "an ice cream factory is any place where ice cream is made for sale. The mixing together of the ingredients of ice cream, or the freezing of such ingredients after the same have been mixed or both, shall be deemed the making of ice cream, and as so amended the bill do pass.

BALLARD, Chairman."

On motion by Ballard, report adopted.

"Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 216: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 182 of the Session Laws of the Twenty-Second Legislative Assembly of Montana for 1931, relating to deceit in weight, grade, measure or test in sale of milk or cream; and providing a penalty for violation. Respectfully report and recommend as follows:

That House Bill No. 216 do pass.

BALLARD, Chairman."

On motion by Ballard, report adopted.

"Mr. Speaker: We, your Committee on Dairying, having had under consideration House Bill No. 215: A Bill for an Act to amend Section 30 of Chapter 93 of the Session Laws of the Twenty-First Legislative Assembly of Montana for 1931, relating to standard butter measure. Respectfully report and recommend as follows:

That H. B. No. 215, do pass.

BALLARD, Chairman."

On motion by Ballard, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that messages from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 4, by Page.

S. B. No. 82, by Kane and Pauline.

S. B. No. 92, by Committee on Stockgrowing and Grazing.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File respectfully report and recommend as follows:

That consideration of S. B. No. 45 be passed for the day.

That S. B. No. 41, be amended in the title by striking out the period and the quotation marks at the end of the title and inserting a comma and adding the following words: "to the charges of public warehousemen, and the delivery of grain to the holder of a receipt therefor and instructions to warehousemen." And as so amended, recommend said bill do pass.

That H. B. No. 45 be concurred in.

That the Committee rise and report.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following notice of introduction of Bills was this day received:

By Campbell and Larson: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a Section to be known as Section 8, authorizing the legislature, by a general or special law, to provide for the abandonment, abolishment and termination, or consolidation, of counties and for the termination of the terms of office of officers in counties so abandoned, abolished, terminated or consolidated."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Standing Committees this day reported as follows:

Committee on State and County Economies: That S. B. No. 65, be amended in Section 1 by inserting in line 5, printed bill, after the word "salaries," the following: "Of deputies must be fixed by the board of county commissioners but must not exceed the maximum amounts fixed in Section 4873, and"; be amended in Section 4 by inserting in line 18 after the word, "third", the words, "fourth and fifth," and striking out in line 9 the words, "fourth, fifth and"; amend in Section 5 by changing the period in line 11 to a comma and then adding the following: "except that in a county of the sixth or seventh class the board of county commis-

sioners may allow any county officer to appoint one deputy in excess of the maximum prescribed by this section, but application for appointment of any such deputy must be made and the appointment must be authorized in the manner prescribed by this section." Amend in Section 6 by striking out in line 7 the words, "no deputies must be allowed," and inserting in lieu thereof the following: "One deputy may be allowed if application for appointment of such deputy must be made and the appointment must be authorized in the manner prescribed by this section." Amend Section 6 by inserting in line 21 after the word "fourth," the words, "and fifth," and striking out of line 22 the word, "fifty." And as so amended, recommend said bill do pass, report adopted.

Committee on State and County Economies: That S. B. No. 141 do pass, report adopted.

Committee on Compensation: That H. B. No. 128 be concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

Sub. H. B. No. 27—Committee on Education.

H. B. No. 32—Committee on Labor and Capital.

H. B. No. 68—Committee on Labor and Capital.

H. B. No. 76—Committee on Judiciary.

H. B. No. 89—Committee on Fish and Game.

H. B. No. 94—Committee on Sanitary Affairs.

H. B. No. 101—Committee on Education.

H. B. No. 140—Committee on Finance and Claims.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 133, by Page: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 95 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to protection of forests and forest lands for control of fires." Referred to Committee on Public Lands.

S. B. No. 134, by Kemmis: A Bill for an Act Entitled: "An Act to amend Chapter 98 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 47 of the Session Laws of the Twenty-First Legislative Assembly of 1929 relating to the qualifications of electors entitled to vote upon proposals to create or increase indebtedness of the state, county, city, town, school district, or other municipal corporations, and relating to the official duties concerning therewith." Referred to Committee on Judiciary.

S. B. No. 135, by Carroll: A Bill for an Act Entitled: "An Act to amend Section 3 of Chapter 188 of the Session Laws of 1931, relating to limitations of county indebtedness." Referred to Committee on Counties and Towns.

S. B. No. 136, by Rowland: A Bill for an Act Entitled: "An Act to amend Section 83 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to the powers of the boards of trustees, by the addition thereto of a new

ction to be known as Section 6-A, and providing for regulations of said boards in regard to the issuing of contracts for the employment of any teacher or principal." Referred to Committee on Education.

S. B. No. 137, by Cooper: A Bill for an Act Entitled: "An Act to amend Section 2843 of the Revised Codes of Montana of 1921, relating to the time for which an election binds employer under Workmen's Compensation Act." Referred to Committee on Compensation.

S. B. No. 138, by Rowland: A Bill for an Act Entitled: "An Act to amend Section 1015 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 122 of the Laws of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 122 of the Laws of the Twenty-second Legislative Assembly of 1931, prescribing the duties of trustees of public schools and particularly amended by Sub-Section 2 of said section, regulating the powers of the said trustees in regard to the issuing of contracts for the employment of teachers, mechanics and laborers." Referred to Committee on Education.

S. B. No. 139, by Rowland: A Bill for an Act Entitled: "An Act to amend Section 4465 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 95 Acts of the Eighteenth Legislative Assembly of 1923, and by Chapter 54 Acts of the Twentieth Legislative Assembly of 1927, and by Chapter 38 and 142 Acts of the Twenty-First Legislative Assembly of 1929, and by Chapter 100 Acts of the Twenty-Second Legislative Assembly of 1931, relating to the general and permanent powers of the Boards of County Commissioners by addition thereto of a new section to be known as Section 10-A and providing that real property acquired by said board under a tax deed may be granted and conveyed by deed to the United States of America by said board." Referred to Committee on Judiciary.

S. B. No. 140 by Delaney: A Bill for an Act Entitled: "An Act to amend Section 6653 of the Revised Codes of Montana, 1921, declaring contracts of foreign corporations void unless compliance is made with the provisions of Chapter 41, part III, of the Civil Code of Montana, 1921, and fixing a penalty for carrying on business by such corporations in violation of law." Referred to Committee on Judiciary.

S. B. No. 141, by Delaney: A Bill for an Act Entitled: "An Act to amend Section 6656 of the Revised Codes of Montana, 1921, relating to penalty for acting as agent for foreign corporations not qualified to do business under Chapter 41, part III, of the Civil Code of Montana of 1921." Referred to Committee on Judiciary.

S. B. No. 142, by Kemmis: A Bill for an Act Entitled: "An Act to amend Section 3716 of the Revised Codes of Montana of 1921, relating to the possession or use of traps, seines or nets." Referred to Committee on Fish and Game.

S. B. No. 143, by Pauline and Kane: A Bill for an Act Entitled: "An Act to amend Sections 12438 and 1524 of the Revised Codes of the State of Montana of 1921 as amended by Chapter 42 of the Session Laws of the Eighteenth Legislative Assembly of 1923 and as further amended by Chapter 149 of the Session Laws of the Twenty-First Legislative Assembly of 1929, relating to the salaries of certain state appointive officers." Referred to Committee on State and County Economies.

S. B. No. 144, by Pauline: A Bill for an Act Entitled: "An Act to amend Section 3664 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, Section 3663 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, as further amended by Chapter 59 of the Session Laws of the Twentieth Legislative Assembly of 1927, and Section 3666 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth

Legislative Assembly of 1925, relating to the superintendent of state fisheries, his appointment, bond, salary, duties and powers." Referred to Committee on Fish and Game.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Kalberg and Kelsey: A Bill for an Act Entitled: "An Act to amend Section 8931 of the Revised Codes of the State of Montana of 1921, and Section 8933 of the Revised Codes of the State of Montana of 1921 as amended by Chapter 36 of the Session Laws of the Twentieth Legislative Assembly of 1927, relating to the salary and compensation of the district court stenographers."

By Coburn: A Bill for an Act entitled: "An Act to change the boundary line between the counties of Glacier and Pondera, taking from the county of Pondera certain territory and adding the same to the county of Glacier; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds and delinquent taxes; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that townships, school and other officers within the territory so transferred shall hold their offices for the balance of their terms."

By Coburn: A Bill for an Act entitled: "An Act to amend Section 6306 of the Revised Codes of Montana 1921 and Chapter 13 of the Laws of the Twenty-first Legislative Assembly, providing for the discontinuance of streets or alleys by the city or town council."

By MacGilvra: "A memorial memorializing the Congress of the United States urging immediate action toward curbing importation of foreign goods, at the expense of closing of our mines, mills and factories, and the unemployment of our people."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Introduction of Bills were this day received:

By Kalberg: A Bill for an Act entitled: "An Act providing regulations for telephone wires across highways or county roads, making it a misdemeanor to injure same and providing a penalty therefor."

By Kane: A Bill for an Act entitled: "An Act to amend Section 3355 of the Revised Codes of the State of Montana of 1921, relating to the sale of animals under false registration certificates or fraudulently changing the markings and providing for false representation of the production record of cattle."

By Murphy: A Bill for an Act entitled: "An Act to amend Sections 715, 716, and 720, Revised Codes of 1921, and Section 717 as amended by Chapter 151, Session Laws 1923, relating to voting by absent voters and to extend the provisions thereof to persons incapacitated by age, sickness or injuries."

By Plumer: A Bill for an Act entitled: "An Act requiring the secretary and chief clerk, respectively, of the Senate and House of Representatives of the Legislative Assembly of the State of Montana, to make

et and mail to the county clerk of each county a copy of all roll calls
ld during sessions of the Legislative Assembly, and prescribing the duties
county clerks in connection therewith."

By Plumer: A Bill for an Act entitled: "An Act to prevent the
monopoly of transportation service on the highways of Montana by any
competing form of transportation service; and to prohibit the control of
th competing forms of transportation by any railroad company; and
prescribing a penalty for a violation of this Act."

By Holt, by request: A Bill for an Act entitled: "An Act to amend
Section 1051 of the Revised Codes of Montana, 1921, as amended by Sec-
tion 1 of Chapter 118 of the Laws of the Twentieth Legislative Assembly
of the State of Montana relating to the manner of taking the school cen-
sus; defining residence for school census purposes; fixing compensation
of the clerk and providing penalties for false or fraudulent reports and
repealing all Acts and parts of Acts in conflict herewith."

By Ruffcorn: A Bill for an Act entitled: "An Act relating to the
granting of stays of proceedings in actions instituted in the district courts
for the foreclosure of mortgages on real estate."

By MacGilvra: A Bill for an Act entitled: "An Act to amend Sec-
tion 3714 of the Revised Codes of the State of Montana of 1921, as amended
by the Session Laws of the Twentieth Legislative Assembly of 1927, re-
lating to the catching of fish except with pole, line and hook, and use of
traps, nets and seines."

By Walker and Donovan: A Bill for an Act entitled: "An Act to
provide for conventions to ratify proposed amendments to the constitu-
tion of the United States."

By Keeley: A Bill for an Act entitled: "An Act to amend Chapter
23 of Part III of the Political Code of the Revised Codes of the State
of Montana of 1921, relating to the fish and game laws of the State of
Montana and providing for the fish and game commission and warden;
and the addition thereto of a new section to be known as Section 3653-A
and providing that the Fish and Game Commission shall have the discre-
tionary power of adjusting all claims for damages caused by animals
protected by the rules and regulations of the Fish and Game Commission,
and providing for appeals from the award of said commission."

By Willis: A Bill for an Act entitled: "An Act to create a com-
mission of aeronautics for the State of Montana which will provide for
having such commission appointed by the governor, and funds for the
support of such commission arranged so that no costs whatsoever will
arise to the state."

By Husband: A Bill for an Act entitled: "An Act making it unlaw-
ful for the driver of a motor vehicle or other person in said motor vehicle
who has or assumes authority over such driver after collision or accident
to conceal or attempt to conceal his identity; prescribing the duty of a
driver of a motor vehicle or other person in said motor vehicle who has
or assumes authority over such a driver after collision or accident; and
prescribing penalty for the violation of any of the provisions of this Act."

By Lamp: A Bill for an Act entitled: "An Act providing for the
State Board of Examiners to certify to the State Auditor the estimated
revenue to meet appropriations and providing for the procedure when the
estimated revenue is greater than the actual receipts and further provid-
ing for a revision of the State Examiner's estimate, and prohibiting the
State Auditor from issuing warrants in excess of the estimated revenue
of any fiscal year."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 9, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorabl Body that Senate standing committees this day reported as follows:

Committee on Oil and Leases: That S. B. No. 116 do pass. Report adopted.

Committee on Oil and Leases: That H. B. No. 62, by Ralston, b concurred in. Report adopted.

Committee on Counties and Towns: That S. B. No. 118, by Mac Gilvra, do pass. Report adopted.

Committee on Counties and Towns: That S. B. No. 124, by Reed be amended on line 7, page 3, original bill, after the word, "Auditor," b inserting the words, "or Assessor"; also be amended by inserting on lin 19, page 3, original bill, the word "not," after the word, "are"; and as s amended, recommend said bill do pass. Report adopted.

Committee on Counties and Towns: That H. B. No. 35, by Ballard be concurred in. Report adopted.

Committee on Counties and Towns: That H. B. No. 96, be amende by striking out the period after the word, "city," on line 32, page 1, orig inal bill, and by adding the following words after the word, "city": "A are recommended by the State Auditor and approved by the State Exam iner," and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Public Lands: That S. B. No. 126, by Ekegren, Kilduf and Thien, do pass. Report adopted.

Committee on Sanitary Affairs: That H. B. No. 91 be concurred in Report adopted.

Committee on State and County Economies: That H. B. No. 9, b Replogle and Ballard, be amended in lines 18 and 19, page 2, original bil by striking out the words "in performance of any official duty," whic appears after the word, "traveled," in line 18; be amended in lines 22 an 23 on page 3, original bill, by striking out the word and figure, "eigh cents (8c)," and inserting in lieu thereof the word and figures, "nin cents (9c)"; be amended in lines 28 and 29 on page 2, original bill, b striking out the remainder of the paragraph after the word, "transporta tion," down to and including the word "expense," on line 10 of page 3 and as so amended recommend said bill be concurred in. Report adopted

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second times, an referred to committees:

S. B. No. 4, introduced by Page: A Bill for an Act entitled: "A Act to amend Section 1760 of the Revised Codes of Montana of 1921 a amended by Chapter 107 of the Laws of 1923, by Chapter 88 of the Law of 1927, and by Chapter 182 of the Laws of 1929, relating to registratio fees for motor vehicles, trailers, semi-trailers, and dealers in motor vehicle or automobile accessories." Committee on Highways.

S. B. No. 82, introduced by Kane, and Pauline: A Bill for an Ac entitled: "An Act amending Sections 8814, 440, 202, 219, 284, 363, 437, 438 439, 933, 1558, 1958, 2446, 2739, 2740, 2819, 3255, 3557, 3784, and 3786 o the Revised Codes of the State of Montana of 1921, and amending Sec tion 14 of Chapter 16 of the Session Laws of the Twentieth Legislativ Assembly of 1927, and amending Section 3 of Chapter 179 of the Sessio Laws of the Nineteenth Legislative Assembly of 1925, relating to th salaries and compensation of certain state officers, district judges, an

all deputy state officers and clerks, stenographers and employees and state offices, commissions, boards, bureaus and departments, and further providing that all Acts and parts of Acts are hereby specifically amended according to this Act." Committee on Economy.

S. B. No. 92, introduced by Committee on Stock Growing and Grazing: A Bill for an Act entitled: "An Act to amend Section 1 and Section 4 of Chapter 119 of the Laws of Montana of 1931, providing for the creation, size, location, boundaries and procedure for the establishment of a horse herd district, from which area horses are barred from running at large; providing for a penalty for horses running at large within said district; providing the person, owner or person in control of such horse or horses shall be liable for all damages sustained thereby; and provided for the impounding and disposition of said horse or horses; and providing for the dissolution of such districts." Committee on Livestock and Public Ranges.

H. B. No. 235, by Committee on Economy: A Bill for an Act entitled: "An Act providing for the number of days in the month in which county commissioners in certain counties shall be permitted to meet or be in session." Committee on Townships and Counties.

H. B. No. 236, by Beadle, Mulholland, O'Connell, Goodwin, McDermott, Freudenstein, Harrington, Holecek, Metlen, Wigal: A Bill for an Act entitled: "An Act defining 'accommodation smelters' and 'custom smelters'; providing an emergency exists making 'custom smelters' a public convenience and necessity thereby making 'custom smelters' a public utility; defining the duties of the Public Service Commission of Montana relative to 'custom smelters'; providing for the appointment and duties of an 'umpire'; fixing reasonable rules and regulations for the weighing and sampling and adjusting disputed claim on ore shipments to 'custom smelters' and providing a fee from ore to be smelted for carrying out the provisions of this Act and creating a special fund from such receipts to be known as a 'smelter umpire fund'." Committee on Public Utilities and State Commissions.

H. B. No. 237, by O'Connell, Mulholland, Freudenstein, Doran, Goodwin, McDermott, Harrington, Ferry, Beadle: A Bill for an Act entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of 1923, and by Chapter 88 of the Laws of 1927, and as amended by Chapter 182 of the Laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers, and dealers in motor vehicles or automobile accessories and the distribution of the revenue received from motor registration fees." Committee on Highways.

H. B. No. 238, by Committee on Economy: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaged in or carrying on the business of constructing, maintaining and operating telephone lines and telephone instruments within the State of Montana to pay license fees and providing penalties." Committee on Revenue and Taxation.

H. B. No. 239, by Miles: A Bill for an Act entitled: "An Act to amend Section 2473 of the Revised Codes of Montana of 1921, relating to the establishing of county boards of health and appointment qualifications and compensation of county physicians." Committee on Public Health and Sanitary Affairs.

H. B. No. 240, by Committee on Agriculture: A Bill for an Act entitled: "An Act to amend Sections 1, 3, and 6, of Chapter 153 of the Laws of Montana of 1931, relating to the regulation and licensing the use of commercial fertilizer, and providing for the inspection of fertilizer materials, and fixing penalties for the violation of the Act." Committee on Agriculture.

H. B. No. 241, by Goodwin: A Bill for an Act entitled: "An Act authorizing and empowering cities, who by ordinance provide for the col-

lection of taxes and assessments, to collect delinquent city taxes and assessments and repealing all Acts and parts of Acts in conflict herewith Committee on Revenue and Taxation.

H. B. No. 242, by McDermott: A Bill for an Act entitled: "An Act providing a method by which refund or draw-back may be obtained license taxes paid on gasoline used and consumed by cities and incorporated towns and prescribing the procedure for obtaining refund or draw-back." Committee on Highways.

The following bill was introduced, read first and second times length, and referred to committee:

H. B. No. 243, by Parker of Flathead, Ueland, Chapman, Love: A Bill for an Act entitled: "An Act appropriating money to pay a judgment of the Supreme Court of Montana in the sum of five thousand three hundred and twenty-seven dollars and five cents rendered on February 1933, against the Montana State Board of Equalization and the State Committee on Appropriations.

The following bills were introduced, read first and second time and referred to committee:

H. B. No. 244, by Shannon: A Bill for an Act entitled: "An Act to authorize boards of county commissioners in this state to purchase, acquire, establish and maintain gasoline tanks and stations; to purchase gasoline, oil, and lubricants for the use of their several counties and purchase and sell at retail to the public generally gasoline, oil and lubricants." Committee on Petroleum, Oil and Gas.

H. B. No. 245, by Pilgeram: A Bill for an Act entitled: "An Act to amend Section 145 of the Revised Codes of Montana of 1921, relating to fees of Secretary of State." Committee on State Boards and Offices

H. B. No. 246, by Freed: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana for 1921, relating to the rate of interest allowed by agreement." Committee on Judiciary

H. B. No. 247, by Spangler: A Bill for an Act entitled: "An Act to repeal Section 2 of Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of Montana relating to license fees of manufacturer dealers, distributors, purveyors and sellers of gasoline, kerosene, distillate lubricating oil or grease, road oil, fuel oil, and oil and grease for boilers Committee on Revenue and Taxation.

H. B. No. 248, by Committee on Economy: A Bill for an Act entitled: "An Act to amend Section 520 of the Revised Codes of Montana, 1921 relating to publication of reports of state officers." Committee on Economy.

H. B. No. 249, by Committee on Economy: A Bill for an Act entitled: "An Act to amend Section 6112 of the Revised Codes of Montana, 1921 regarding the license fees to be paid by insurance corporations, associations and societies." Committee on Revenue and Taxation.

H. B. No. 250, by Committee on Highways: A Bill for an Act entitled: "An Act to amend Sections 2 and 6, Chapter 171, Laws of the Twentieth second Legislative Assembly of Montana of 1931, relating to the size of vehicles and loads that may be driven and moved on the public highway and to permits to operate or move vehicles on the public highways of sizes or weights exceeding the maximum specified in the said chapter Committee on Highways.

H. B. No. 251, by White: A Bill for an Act entitled: "An Act to amend Section 933 of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction, and repealing all Acts and parts of Acts in conflict herewith." Committee on Education

H. B. No. 252, by Committee on Economy: A Bill for an Act entitled: "An Act to amend Section 9, of Title II, Chapter 148 of the Twentieth second Legislative Assembly, 1931, relating to compensation of secretaries of board of trustees of county high schools." Committee on Economy.

H. B. No. 253, by Committee on State Lands: A Bill for an Act entitled: "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927 as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in state lands, being the purpose of this amendment to restore the said Section 65 to its original form." Committee on State Lands.

H. B. No. 254, by Committee on Townships and Counties: A Bill for an Act entitled; "An Act to amend Sections 8904 and 8906 Revised Codes of Montana 1921, providing the manner of drawing trial jurors in the district court." Committee on Judiciary.

H. B. No. 255, by Committee on Economy: A Bill for an Act entitled: An Act abolishing the office of safety appliance inspector and repealing section 3787 of the Revised Codes of Montana for 1921 as amended by chapter 90 of the Session Laws of the Twentieth Legislative Assembly relating to the salary of safety appliance inspectors." Committee on Public Safety.

H. B. No. 256, by Committee on Economy: A Bill for an Act entitled: An Act to amend Section 10481 of the Revised Codes of Montana, 1921; section 10482 of the Revised Codes of Montana, 1921, as amended by chapter 12 of the Session Laws of the Twentieth Legislative Assembly; section 10483 of the Revised Codes of Montana, 1921; and to repeal Section 10487 of the Revised Codes of Montana, 1921; all relating to mothers' pensions." Committee on Townships and Counties.

The Speaker gave notice that he was about to sign H. B. No. 90, and thereupon signed the same.

H. J. Cunningham of Helena, a member of the Fourth Legislative Assembly, was escorted to the rostrum and presented to the members of the House.

THIRD READING OF HOUSE BILLS

Without objection, Bills on Third Reading were read by title, history and section number only.

Sub. H. B. No. 65, introduced by Ueland, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Repogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparring, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: Jensen, Ragen. Total 2.

Absent and not voting: Breitenstein, Doran, Duffy, Green (Dawson),olph, Shannon. Total 6.

The Speaker: Ninety-three have voted "aye," 2 have voted "no"; Sub. H. B. No. 65 has passed the House.

House Bill No. 130, introduced by Reardon of Deer Lodge, and Goodwin, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Knowles, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 73.

Noes: Anderson, Annin, Hilger, Kruse, Kuhl, Lewis, Lott, Nelstead, Nutting, Porter, Quamme, Rolph, Stevens (Wheatland), Strange, Trenn, Ueland, Waite, Watson (Meagher), Watson (Missoula). Total 19.

Absent and not voting: Duffy, Fitzstephens, Fowler, Green (Dawson), Larsen, Metlen, Shannon, Stiefel, Sullivan. Total 9.

The Speaker: Seventy-three have voted "aye," 19 have voted "no." H. B. No. 130 has passed the House.

House Bill No. 150, introduced by O'Shea, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Duffy, Fowler, Green (Dawson), Larsen, Logan, Lott, Metlen, Nelstead, Parker (Flathead), Shannon, Stiefel, Sullivan. Total 12.

The Speaker: Eighty-nine have voted "aye," none have voted "no." H. B. No. 150 has passed the House.

House Bill No. 77, introduced by Nelstead by request, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Bjorneby, Duffy, Ecton, Kuhl, Larsen, Lewis, Roll, Shannon, Sullivan. Total 9.

The Speaker: Ninety-two have voted "aye," none have voted "no"; B. No. 77 has passed the House.

Sub. H. B. No. 70 was, without objection, on motion by Rognlien, passed for the day.

MOTIONS AND RESOLUTIONS

Setzer: Move that S. B. No. 7 be taken from General Orders and referred to Committee on Judiciary. Seconded. Defeated.

Besancon: Move to pass General Orders at this morning's session. Seconded. Carried.

Besancon: Move the House now recess until 2:30 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 2:30 o'clock P. M.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 176, 157, 103, 137, 109, 196, 198 and 199 beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: H. B. No. 90.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 39, 48, 50 and 90, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 11:00 o'clock A. M. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, a majority of your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 3, introduced by Kruse, a Bill for an Act entitled: "An Act to prohibit any authority of the State of Montana having charge of the disbursement of expenditure of the income provided for any state owned institution maintained in whole or in part by the state, or any state department, from expending or contracting to expend any amount in excess thereof, and providing penalties therefor," respectfully report as follows: That House Bill No. 3 do not pass.

MULHOLLAND,
PIERSON,
FREUDENSTEIN,
McDERMOTT,
CUSKER,
DUFFY,
NUTTING,
TRENNE,
MOSS.

"Mr. Speaker: We, a minority of your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 3, introduced by Kruse, a Bill for an Act entitled: "An Act to prohibit any authority of the State of Montana having charge of the disbursement of expenditure of the income provided for any state owned institution maintained in whole or in part by the state, or any state department, from expending or contracting to expend any amount in excess thereof, and providing penalties therefor," respectfully report as follows: That House Bill No. 3 do pass.

WHITE,
HILGER,
WATSON (Missoula).

Mulholland: Move that the majority report be adopted. Seconded.

Kruse: Move that the minority report be adopted. Seconded. Carried.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 76, introduced by Kaulbach, a Bill for an Act entitled: "An Act to amend Section 24' of the Revised Codes of the State of Montana of 1921, providing for the reporting of certain diseases by physicians and other practitioners," respectfully report and recommend as follows: That S. B. No. 76 be carried in.

DOE, Chairman."

On motion by Doe, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 194, a Bill for an Act entitled: "An Act prescribing the hours of labor for persons employed in or about sugar refineries, and providing penalties for a violation thereof," respectfully report and recommend as follows: That H. B. No. 194 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 214, a Bill for an Act entitled: "An Act to amend Sections 295, 297, 298, and 299 Revised Codes of Montana 1921, the same being 'An Act to provide a budget system for the control of all expenditures of state money'," respectfully report and recommend as follows: That H. B. No. 214 do pass.

SHANNON, Chairman."

On motion by Arnold, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 165, introduced by Fish and Game Committee of the House, a Bill for an Act entitled: "An Act to amend Section 3676 and 3679 of the Revised Codes of Montana of 1921 relating to the creating of fish and game preserves, refuges, sanctuaries, refuges, closed districts and closed seasons, prescribing penalties for a violation of this Act and repealing all Acts and parts of Acts in conflict with the provisions hereof," respectfully report and recommend as follows: That H. B. No. 165 be amended as follows: In line 15, page 2, after the word "authority" and before the word "to" insert the following words: "when properly petitioned," and do pass as amended.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 188, introduced by Setzer and Anderson, a Bill for an Act entitled: "An Act repealing Chapter 44 of the Session Laws of the State of Montana of 1929, relating to the acquisition by the United States of lands and waters within the State of Montana for the purpose of creating, developing and maintaining refuges for migratory wild fowl," respectfully report and recommend as follows: That H. B. No. 188 do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 228, a Bill for an Act entitled: "An Act to amend Section 7729 of the Revised Codes of the State of Montana of 1921, relating to the rate of interest on judgments and fixing the same at six per cent instead of eight per cent," respectfully report and recommend as follows: That H. B. No. 228 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 223, a Bill for an Act entitled: "An Act to amend Sections 9664 and 9660, Revised Codes of Montana 1921, relating to judgments by default and judgments (other than default) in justice courts," respectfully report and recommend as follows: That H. B. No. 223 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 93, a Bill for an Act entitled: "An Act to amend Section 9035 of the Revised Codes of Montana, 1921, relating to actions which must be begun within six months and regulating the time within which an action for restoration to office by any persons having been wrongfully or illegally removed or excluded from office, and regulating the time within which an action should be begun to recover salary or other emoluments of such office, and repealing Section 9038 and Section 9039, of the Revised Codes of Montana, 1921," respectfully report and recommend as follows: That S. B. No. 93 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 229, a Bill for an Act entitled: "An Act to amend Section 7725 of the Revised Codes of the State of Montana of 1921, relating to the statutory rate of interest and fixing the same, when not otherwise provided by contract, at six per cent instead of eight per cent," respectfully report and recommend as follows: That H. B. No. 229 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 4, a memorial memorializing the Congress of the United States for a more lenient settlement of the 1932 federal seed loans, respectfully report and recommend as follows: That S. J. M. No. 4 be concurred in.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 7, a memorial memorializing the Congress of the United States for a grant of land for the use and benefit of the Northern Montana Agricultural and Manual Training School, respectfully report and recommend as follows: That S. J. M. No. 7 be concurred in.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 4, a joint memorial requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the states and that the Congress balance the budget without further increase in the tax levies," respectfully report and recommend as follows: That H. J. M. No. 4 do pass.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute House Bill No. 59, a Bill for an Act entitled "An Act defining the duties of court stenographers with reference to transcripts made by them and amending Section 8931 of the Revised Code of Montana of 1921," respectfully report and recommend as follows: That Sub. H. B. No. 59 be amended as follows: That Section 1 be amended by inserting in line 20, after the sentence ending in the word "form," a sentence before the sentence beginning with the word "in" the following: "If the judge requires such a copy in a civil case to assist him in rendering a decision, the stenographer must furnish the same without charge therefor." That Section 1 be further amended by striking out the period after the final word "charge" in line 24, and adding the following: "except in judicial districts consisting of a single county, wherein the stenographer shall receive his fees for such transcripts as heretofore," and that when so amended the bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 164, a Bill for an Act entitled: "An Act to authorize the transportation of certain dependent children for whose proper homes are offered outside the state, and making an appropriation therefor," respectfully report and recommend as follows: That H. B. No. 164 be amended as follows: Section 1, lines 11 and 12, by striking out after the word "disability" the following words "or who is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation" and insert in lieu thereof the following words "who does not have an income sufficient to care for his children, or who is a patient in a sanatorium, or other institution by reason of a tubercular condition"; by changing Section 4 to read Section 5, and inserting a new Section 4 to read as follows: Section 4. Appropriations herein above provided for shall be deemed and held valid notwithstanding the provisions of the Budget Act and recommend that H. B. No. 164 do pass as amended.

SHANNON, Chairman."

On motion by Arnold, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 250, a Bill for an Act entitled: "An Act to amend Sections 2 and 6, Chapter 171, Laws of the Twenty-second Legislative Assembly of Montana of 1931, relating to the size of vehicles and loads that may be driven and moved on the public highways; and to pro-

mits to operate or move vehicles on the public highways of sizes or weights exceeding the maximum specified in the said chapter," respectfully report and recommend as follows: That H. B. No. 250 be amended as follows: In line 17 of the original bill, after the word "of" and before the word "hay," on page 1, strike out the word "unbaled"; and that as amended, the bill do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 61, a Bill for an Act entitled: "An Act to amend Section 1 of Chapter 168 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana of 1929, providing a method by which refund or drawback may be obtained of license taxes paid on gasoline handled; and providing the procedure for obtaining refund or drawback," respectfully report and recommend as follows: That H. B. No. 61 do not pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 248, a Bill for an Act entitled: "An Act to amend Section 520 of the Revised Codes of Montana, 1921, relating to publication of reports of state officers," respectfully report and recommend as follows: That H. B. No. 248 do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 252, a Bill for an Act entitled: "An Act to amend Section 9, of Title II, Chapter 148, of the Twenty-second Legislative Assembly, 1931, relating to compensation of secretaries of boards of trustees of county high schools," respectfully report and recommend as follows: That H. B. No. 252 be amended as follows:

In line 23 of the original bill strike out the word and figure "eight (8)" and insert in lieu thereof the word and figure "ten (10)" and that as amended the bill do pass.

HAIGHT, Chairman."

On motion of Haight, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration Senate Bill No. 29: A Bill for an Act Entitled: "An Act to amend Chapter 108, Session Laws of 1925, Montana, relating to expense of officers and employees of the State of Montana," respectfully report and recommend as follows:

That S. B. No. 29 be concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 162: A Bill for an Act Entitled: "An Act to amend Section 2209 of the Revised Codes of Montana for 1921, as amended by Chapter 156 of the Session Laws of the Twenty-First Legislative Assembly, relating to notice of application for tax deeds; and repealing all Acts in conflict herewith." Respectfully report and recommend as follows:

That H. B. No. 162 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 192: A Bill for an Act Entitled "An Act requiring all persons, co-partnerships, corporations, firms, associations and others engaging in or carrying on for hire within the State of Montana the business of operating line shafts, head gears and drop hangers for operating sheep shearing machines or clippers, which said line shafts, head gears and drop hangers are brought into the state for temporary use therein, to pay to the State Treasurer of the State of Montana license tax for engaging in or carrying on such business, fixing the amount of such license tax, and providing penalties for the violation of this Act respectfully report and recommend as follows:

That H. B. No. 192 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 167: A Bill for an Act Entitled "An Act to amend Section 2231, Revised Codes Montana, 1921, in relation to assessment and sale of real estate for taxes," respectfully report and recommend as follows:

That H. B. No. 167 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 72: A Bill for an Act Entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of justices of the peace," respectfully report and recommend as follows:

That H. B. No. 72 do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

Harry Buck of Flathead County, Sylvan Pauly of Powell County, and Lester Loble of Lewis and Clark County, former members of the House were escorted to the rostrum and presented to the members of the House.

Henry Berrodin, Worthv Grand President of Fraternal Order of Eagles of Okron, Ohio, was also escorted to the rostrum and presented to the members. Mr. Berrodin took the opportunity to compliment Montana for having passed the first Old Age Pension law, and example which has been followed by many other states of the Union.

CONSIDERATION MESSAGES FROM GOVERNOR AND SENATE

Helena, February 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate of this day, on motion of Senator Garber, duly seconded and carried, appointed the following Senators to act as a conference committee with a like committee from the House for consideration of House Amendments to S. B. No. 1: Senators Kelsey, Murphy and Garber.

Respectfully,

J. F. CONE,
Secretary.

The Speaker: I will appoint on that Conference Committee, Freed Petroleum, Cusker of Roosevelt and Rolph of Liberty.

Moss of Flathead was excused for the day.

Pilgeram: Move to reconsider action of the House on House Bill No. 86. Seconded.

At the request of two members, a roll call was taken, and the motion was defeated by a vote of 38 "ayes" to 52 "noes."

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times and referred to Committees:

H. B. No. 257, by Mulholland: A Bill for an Act Entitled: "An Act making it unlawful for any banking corporation on and after the 2nd day of January, 1934, to receive or accept deposits on any day, if at the opening of business on that day it has deposits in excess of five dollars (\$5.00) for each dollar of paid-in capital, or paid-in capital and surplus, there be a surplus, and providing penalties for a violation thereof." Committee on Banks and Banking.

H. B. No. 258, by Annin: A Bill for an Act Entitled: "An Act to amend Section 1024 of the Revised Codes of Montana of 1921 as amended by Chapter 138 of the Twentieth Legislative Assembly of Montana relating to the manner of creating new school districts, providing the number of census children and the assessed valuation of the district and the number of census children and the assessed valuation of property remaining in the old district and repealing Section 1024 of the Revised Codes of Montana of 1921." Committee on Education.

H. B. No. 259, by Fish and Game: A Bill for an Act Entitled: "An Act defining the navigable public waters of the state and authorizing anglers to go along such waters for the purpose of fishing therein." Committee on Fish and Game.

H. B. No. 260, by Annin: A Bill for an Act Entitled: "An Act prohibiting the transporting or shipping of game by aeroplane and providing penalties for the violation of this Act." Committee on Fish and Game.

H. B. No. 261, by Committee on Public Health and Sanitary Affairs: A Bill for an Act Entitled: "An Act to amend Code Section 5239 relating to sewer systems in cities and towns and the collection of revenue to defray the cost and maintenance thereof and providing for a system of sewer rentals." Committee on Public Health and Sanitary Affairs.

The following Bill was this day introduced, read first and second times at length, and referred to committee:

H. B. No. 262, by Grabow: A Bill for an Act Entitled: "An Act creating a commission to study the laws of Montana relating to the custody, care, protection and supervision of minors in the State of Montana; such commission to make reports to the Twenty-fourth Legislative Assembly; to propose bills for amendment or codification of such laws; providing for the organization and conduct of the work of such commission, appropriating moneys for the carrying on of such work and prescribing the methods of expenditure of such appropriation." Committee on Public Morals and Reforms.

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 263, by Parker of Flathead: A Bill for an Act Entitled: "An Act to amend Section 6198 of the Revised Codes of the State of Montana, 1921, and to authorize and empower mutual rural insurance companies to insure rural school houses and buildings used in connection therewith, community houses, churches and other public places owned by rural communities, and to amend its by-laws so as to authorize such insurance." Committee on Insurance.

H. B. No. 264, by Watson of Meagher: A Bill for an Act Entitled "An Act amending Section 1187 of the Revised Codes of Montana, 1921 relating to appointment of a State Text-book Commission, and providing for a board of commissioners from among the membership of the State Board of Education to constitute the State Text-book Commission." Committee on Education.

H. B. No. 265, by Moss, by request: A Bill for an Act Entitled: "An Act defining 'malt products' and imposing certain license fees and taxes on the sale of 'malt products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter or exchange of 'malt products' by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 266, by McDermott: A Bill for an Act Entitled: "An Act to amend Section 5397 of the Revised Codes of Montana of 1921 relating to petitioning for the abandonment of the commission form of government in cities by decreasing the percentage of voters required to petition for abandonment and providing that the last mayoralty election shall be the basis of determining the number of electors for the purpose of the petition." Committee on Privileges and Elections.

H. B. No. 267, by Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, and Section 3 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 141 of the Twentieth Legislative Assembly of 1927, relating to tax on direct and collateral inheritances, bequests and devises, and to provide for its assessment and collection." Committee on Revenue and Taxation.

H. B. No. 268, by White: A Bill for an Act Entitled: "An Act amending Chapter 25 of Part V of the Revised Codes of Montana, 1921, by the addition thereto of one new section to be known as Section 7683 (a) providing for attorney's fees in actions by the owner, keeper or proprietor of an inn, or hotel, restaurant, cafe, eating place, lunch counter, apartment, rooming, lodging, or boarding house, or hospital, against any person, guest, boarder or lodger for food, meal or meals, lodging, entertainment or accommodations furnished; prescribing the minimum fee to be allowed by the justice court and by the district court; and when the attorney's fee attaches, amending Section 7684 of the Revised Codes of Montana, 1921, relating to defrauding the owner, keeper or proprietor of an inn, or hotel, restaurant, cafe, eating place, lunch counter, apartment, room, lodging, or boarding house, or hospital, and fixing the penalty therefor." Committee on Public Health and Sanitary Affairs.

H. B. No. 269, by Groene of Fergus: A Bill for an Act Entitled: "An Act to amend Chapter 100 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, relating to tax deeds providing the method and procedure to be followed in applying for the tax deed and for the issuance thereof by the county treasurer; the redemption of said lands from the tax sale; the form of deed to be issued and the title conveyed thereby." Committee on Revenue and Taxation.

H. B. No. 270, by Moss and Breitenstein, by request: A Bill for an Act Entitled: "An Act amending Sections 8883, 8885, 8886, 8887, 8889, 8890, 8893, 8894, and 8895 of the Revised Codes of Montana of 1921 defining juries and the qualifications of jurors; making women eligible for jury service; providing for certain exemptions from jury service; and repealing all Acts and parts of Acts in conflict herewith." Committee on Judiciary.

H. B. No. 271, by Roll: A Bill for an Act Entitled: "An Act providing for consolidation of school districts; providing for transportation, providing for officers and providing certain districts shall not receive aid from the county or state equalization fund." Committee on Education.

H. B. No. 272, by Rolph, by request: A Bill for an Act Entitled: "An Act defining 'cosmetics and kindred products'; and imposing certain license fees and taxes on the sale of 'cosmetics and kindred products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of 'cosmetics and kindred products' by any person, firm, association, joint stock company, syndicate or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to a appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 273, by Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act to repeal Section 2435, Montana Revised Codes of 1921, providing for a license tax for the privilege of selling cigarettes." Committee on Revenue and Taxation.

H. B. No. 274, by McDermott: A Bill for an Act Entitled: "An Act regulating the hours of labor of drivers and attendants of taxicabs, motor busses, and motor trucks in the State of Montana; defining the term "attendant" and fixing penalties for the violation of the provisions of this Act." Committee on Labor.

H. B. No. 275, by Fitzstephens: A Bill for an Act Entitled: "An Act relating to property rights in domesticated fur bearing animals providing for brands upon same; recording such brands and prescribing fees therefor." Committee on Fish and Game.

H. B. No. 276, by Annin, by request: A Bill for an Act Entitled: "An Act providing for the supervision, regulation and control of the use of the public highways of the State of Montana by motor carriers engaged in the transportation by motor vehicles of persons and property for hire on the public highways of the State of Montana; conferring certain jurisdiction over such transportation, motor vehicles and their operation on the Board of Railroad Commissioners; providing for the enforcement of this Act and the punishment for violation thereof; and repealing Chapter 184, laws of the Twenty-Second Legislative Assembly, 1931." Committee on Highways.

House Bill No. 277, by Metlen and Waite: A Bill for an Act Entitled: "An Act to amend Section 75 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the sale of state lands and prescribing the minimum prices at which such lands may be sold." Committee on State Lands.

H. B. No. 278, by Stiefel, by request: A Bill for an Act Entitled: "An Act providing for a budget system for making and controlling estimates, expenditures and tax levies for district high school and county high school purposes; prescribing the powers and duties of boards of school district trustees and boards of trustees of county high schools, boards of school budget supervisors and county boards and officers in connection with the making of such budgets and such estimates, expenditures and tax levies, providing penalties for violations of the provisions of this Act and repealing Sections 86, 87, 88, 89, 90, 91, 92, 93 and 94 of Chapter 148 Acts of the Twenty-Second Legislative Assembly of the State of Montana." Committee on Education.

H. B. No. 279, by White and Ragen: A Bill for an Act Entitled: "An Act to amend Section 9365 of the Revised Codes of Montana, 1921, relating to when and how trial by jury may be waived." Committee on Judiciary.

H. B. No. 280. By Kuhl and O'Shea: A Bill for an Act Entitled: "An Act to amend Section 1190 of the Revised Codes of Montana of 1921 as amended by Chapter 25 of the Session Laws of the Nineteenth Legislative Assembly of Montana, relating to contracts for supplying textbooks." Committee on Education.

H. B. No. 281, by Woodcock, by request: A Bill for an Act Entitled "An Act to amend Section 1 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of the State of Montana as amended by Chapter of the Laws of the Twenty-first Legislative Assembly of the State of Montana and as further amended by Section 1 of Chapter 67 of the Laws of the Twenty-Second Legislative Assembly of the State of Montana a Section 2169 of the Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 96 of the Eighteenth Legislative Assembly of the State of Montana, and as further amended by Section 2 of Chapter 67, of the laws of the Twenty-Second Legislative Assembly of the State of Montana, relating to the collection of taxes and the time and method of collecting the same, the interest thereon and providing penalties for the delinquency thereof, and the form of notice of such delinquency." Committee on Revenue and Taxation.

H. B. No. 282, by Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1203 Revised Codes of Montana, 1921, as amended by Chapter 145 Session Laws, 1929, relating to special school tax." Committee on Education.

H. B. No. 283, by Committee on Insurance: A Bill for an Act Entitled "An Act to amend Section 4026 of the Revised Codes of Montana of 1921 as amended by Section 1 of Chapter 179 of the laws of 1929 as amended by Section 1 of Chapter 194 of the laws of 1931; Section 4028 of the Revised Codes of Montana of 1921 as amended by Section 3 of Chapter 1 of the Laws of 1929; Section 4033 of the Revised Codes of Montana of 1921, Section 4036 of the Revised Codes of Montana of 1921, Section 40 of the Revised Codes of Montana of 1921, as amended by Section 4 of Chapter 179 of the Laws of 1929; Section 4041 of the Revised Codes of Montana of 1921, Section 4044 of the Revised Codes of Montana of 1921, Section 4050 of the Revised Codes of Montana of 1921, as amended by Section 5 of Chapter 179 of the Laws of 1929, defining investment companies, exempting certain securities from the provisions thereof; providing for the examination of papers and issuance and revocation of permits and suspension of permits pending hearing and right of appeal; providing for the registration of agents and permits to do business and the revocation of such permits; fixing the time at which annual statements and special reports must be filed with Investment Commissioner; regulating circulars and advertisements and the use of the name of the investment department or commissioner or misrepresentation in sales promotion; prescribing the fees to be paid by investment companies, stock-brokers and agents thereof." Committee on Insurance.

H. B. No. 284, by Committee on Education: A Bill for an Act Entitled: "An Act to amend Section 1213 of the Revised Codes of Montana of 1921 as amended by Chapter 144 of the Session Laws of the Twenty-First Legislative Assembly of Montana relating to the duties of county treasurers with respect to school district funds." Committee on Education.

H. B. No. 285 by Committee on Dairies and Dairying: A Bill for an Act Entitled: "An Act regulating the sale of frozen desserts defining certain frozen products and fixing penalty for the violation hereof." Committee on Dairies and Dairying.

The following bill was this day introduced read first and second times at length, and referred to committee:

H. B. No. 286, by Campbell: A Bill for an Act Entitled: "An Act appropriating money for the payment of a certain claim made by Pietro Maria Amabile Notti, as consular agent of Italy at Butte, Montana, in reason of certain monies belonging to Frank Deorro, deceased, and paid and delivered to the State Treasurer of the State of Montana as an escheated estate and directing the State Auditor to draw his warrant in settlement of said claim." Committee on Appropriations.

The following Bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 287, by Abrahamson and Watson of Missoula: A Bill for an Act Entitled: "An Act to amend Sections 4147, 4148, 4152, 4155 and 4156 of the Revised Codes of Montana of 1921, relating to the regulation of auctioneers." Committee on Judiciary.

H. B. No. 288, by Kruse: A Bill for an Act Entitled: "An Act to amend Section 9449 Revised Codes of Montana 1921, relating to possession of lands prior to foreclosure and during period of redemption." Committee on Judiciary.

H. B. No. 289, by Replogle: A Bill for an Act Entitled: "An Act to amend Section 2323 of the Revised Codes of Montana, 1921, as amended by Chapter 74 of the Session Laws of the Twenty-Second Legislative Assembly, and to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325 and 2326 of the Revised Codes of Montana 1921, relating to coal mines license tax." Committee on Revenue and Taxation.

The following bills were this day introduced read first and second times at length, and referred to committee:

H. B. No. 290, by Nutting: A Bill for an Act Entitled: "An Act to appropriate money from the general fund of the state to compensate J. C. Link, Inc., for services rendered by it to the State of Montana as architect of the dining hall and guards quarters building of the State Prison at Deer Lodge, Montana, and to reimburse it for the cost of a visit made by its agent to San Quentin and Folsom prisons in California at the instance of the State Board of Examiners." Committee on Appropriations.

H. B. No. 291, by Committee on Appropriations: A Bill for an Act Entitled: "An Act to provide for the appointment of a commission by the Governor of Montana, for the purpose of administering relief funds advanced by the Reconstruction Finance Corporation of the United States and defining the duties and powers of such commission, and providing an appropriation therefor." Committee on Appropriations.

The following Memorial was this day introduced, read first and second times and referred to committees:

House Joint Memorial No. 7, by Breitenstein: "Relating to Federal Gasoline Tax." Committee on Highways.

The Speaker gave notice that he was about to sign House Bill No. 11, and thereupon signed the same.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules in effect at previous sittings. Seconded. Carried.

Breitenstein in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 6, House Bills Nos. 95, 122, 135, 148, Senate Bills Nos. 44, 77, 89, 28, House Bills Nos. 146, 172, 156, 142.

Respectfully report and recommend as follows:

That Senate Bill No. 6 be concurred in.

That House Bill No. 95 be amended as follows: By inserting a new section to be numbered "4", which shall read as follows: "Section 4. That nothing in this Act shall affect the Beauty Parlors of this State, as provided for in Chapter 104 of the Laws of 1929", and by renumbering Sections 4 and 5 of the bill as Sections 5 and 6; and that as so amended the bill do pass.

That House Bill No. 122 be passed for the day.
 That House Bill No. 135 be passed for the day.
 That House Bill No. 148 do pass.
 That Senate Bill No. 44 be concurred in.
 That Senate Bill No. 77 be concurred in.
 That Senate Bill No. 89 be concurred in.
 That Senate Bill No. 28 be concurred in.
 That House Bill No. 146 do pass.
 That House Bill No. 172 do pass.
 That House Bill No. 156 do pass.
 That House Bill No. 142 do pass.

BREITENSTEIN, Chairman.

On motion by Breitenstein, report adopted.

Besancon: Move the House now recess until 7:30 o'clock this evening. Seconded. Carried.

EVENING SESSION

House resumed at 7:30 o'clock P. M.
 Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 11.

L. E. LARSEN, Chairman."

Without objection, report adopted.

February 11, 1933.

"Mr. Speaker: We, your Committee on Enrollment, to whom as referred House Bill No. 11, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, was this day, at the hour of 4:45 o'clock P. M., delivered to the Governor for his approval.

L. E. LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 219, introduced by Holecek, a Bill for an act entitled: "An Act to amend Section 8157 of the Revised Codes of the State of Montana, 1921, relating to measure of indemnity in case of loss by fire," respectfully report and recommend as follows: That House Bill No. 219 do not pass.

BJORNEBY, Chairman."

On motion by Bjerneby, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 292, by Jensen: A Bill for an Act entitled: "An Act to empower county treasurers to accept partial payments on delinquent taxes; stipulated the amount to be collected; the interest to be charged on deferred balances; the manner in which moneys for taxes so collected shall be handled; description of delinquent taxes as construed by this Act; collection of taxes not delinquent." Committee on Revenue and Taxation.

H. B. No. 293, by Stevens, by request: A Bill for an Act entitled: "An Act providing for a lien upon personal property for services performed by agricultural and farm laborers." Committee on Agriculture.

H. B. No. 294, by Knowles: A Bill for an Act entitled: "An Act relating to revenue and taxation, imposing an excise or license tax on retail merchants, as the words 'retail merchants' are used in this Act; providing for the collection of such tax; the distribution and use of the revenue derived therefrom; the administration of said law, fixing fines and penalties for the violation of this Act; declaring an emergency to exist, and repealing all laws in conflict with the provisions of this Act." Committee on Revenue and Taxation.

H. B. No. 295, by Blankenbaker: A Bill for an Act entitled: "An Act to amend Sections 4867 and 4873 of the Revised Codes of Montana, 1921, relating to the salaries of county officers and the compensation allowed deputies and assistants in the various counties in the state, and amending Sections 4869, 4870 of the Revised Codes of Montana, 1921, and Section 4871 as amended by Chapter 85 of the Twenty-first Legislative Assembly, relating to county superintendents of schools." Committee on Education.

H. B. No. 296, by Shannon: A Bill for an Act entitled: "An Act to permit the withdrawal of lands from an irrigation district and the organization of the same into a separate district or the consolidation thereof with a different existing district and repealing all Acts in conflict therewith." Committee on Irrigation.

H. B. No. 297, Committee on Townships and Counties: A Bill for an Act entitled: "An Act to amend Section 1522 of the Revised Codes of Montana of 1921, relating to support of free patients at the Montana State Tuberculosis Sanitarium." Committee on Townships and Counties.

H. B. No. 298, by Committee on Economy: A Bill for an Act entitled: "An Act transferring to the State Board of Equalization the duties and powers conferred upon the Public Service Commission of Montana by Chapter 109 of the Laws of the Twentieth Legislative Assembly relating to the licensing of dealers in gasoline or other petroleum products, fixing standards and requiring accurate measuring devices for the sale thereof." Committee on State Boards and Officers.

H. B. No. 299, by Beadle and Setzer: A Bill for an Act entitled: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 2 Article 12 of the constitution of the State of Montana, relating to revenue and taxation; providing for exemption from taxation of the homestead as defined by law." Committee on Revenue and Taxation.

The following bill was this day introduced, read first and second time at length, and referred to committee:

H. B. No. 300, by Mason, by request: A Bill for an Act entitled: "An Act authorizing J. G. Link; George H. Carsley; A. B. DeKay and Son; Stanley, Wilson and Hugenin; Fred Binkman; McIver and Cohagen; C. J. Morris and others to file with the State Board of Examiners their respective claims against the State of Montana for compensation for services as architects in drafting and making plans and specifications for Montana State institutional buildings at the special instance and request of the State Board of Examiners and authorizing said State Board of Examiners to hear, audit and determine said claims and making an appropriation to pay any such claims which said State Board of Examiners may approve and allow." Committee on Appropriations.

The following bills were this day introduced, read first and second times, and referred to committees:

H. B. No. 301, by Harlen, by request: A Bill for an Act entitled: "An Act to amend Section 10 of Chapter 60 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, relating to the exchange of state lands, and providing that the State Board of Land Commissioners of the State of Montana may make trades or exchanges with any county or counties within the State of Montana for county lands or real estate." Committee on State Lands.

H. B. No. 302, by Committee on Economy: A Bill for an Act entitled: "An Act to amend Section 571 of the Revised Codes of Montana of 1911, relating to compensation of county clerks for furnishing poll-books and other expenses incurred on account of such election." Committee on Privileges and Elections.

H. B. No. 303, by Beadle, Kruse, Mulholland, Freudenstein: A Bill for an Act entitled: "An Act for the recovery of attorney fees as damages, benefits or money due under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in cases of fraud, lack of diligence, or vicious delay." Committee on Insurance.

H. B. No. 304, by Byrne: A Bill for an Act entitled: "An Act to amend Section 29 of Chapter 188 of the Laws of the Twenty-second Legislative Assembly of the State of Montana relating to the redemption of county bonds before maturity." Committee on Townships and Counties.

H. B. No. 305, by Replogle: A Bill for an Act entitled: "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate, and corporation engaging in or carrying on the business of distributing natural gas within this state or conducting natural gas produced within this state through a pipe line to a point outside the state; to pay to the State Treasurer for engaging in carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method of the assessment and collection thereof; and prescribing penalties for violations of the provisions of this Act." Committee on Revenue and Taxation.

H. B. No. 306, by Committee on Economy: A Bill for an Act entitled: "An Act providing that each Legislative Assembly shall fix the compensation of all employees of the House and Senate for that particular session, not to exceed, however, the compensation now allowed by law." Committee on Economy.

H. B. No. 307, by Committee on Economy: A Bill for an Act entitled: "An Act relating to the amount which may be paid for certain public printing." Committee on Economy.

H. B. No. 308, by Ecton, by request: A Bill for an Act entitled: "An Act defining 'bottled soft drink products' and imposing certain license fees and taxes on the sale of 'bottled soft drink products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of 'bottled soft drink products' by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or Parts of Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 309, by Committee on Economy: A Bill for an Act entitled: "An Act relating to contracts for state, county, city and all public printing." Committee on Economy.

H. B. No. 310, by Rognlien: A Bill for an Act Entitled: "An Act relating to the issue of funding or refunding bonds by incorporated cities and towns, and amending Section 1 of Chapter 160 of the 1931 Session Laws of the State of Montana." Committee on Affairs of Cities.

H. B. No. 311, by Committee on Insurance: A Bill for an Act Entitled: "An Act prohibiting state, county, or municipal officers from transacting certain business or entering into certain contracts with city, county, municipal or school districts." Committee on Insurance.

H. B. No. 312, by Goodwin: A Bill for an Act Entitled: "An Act providing for the security of depositors in the incorporated banks of Montana, creating the bank depositors' guaranty fund of the State of Montana, and providing regulations therefor, and penalties for the violation thereof." Committee on Banks and Banking.

H. B. No. 313, by Harlen, by request: A Bill for an Act Entitled: "An Act to provide for the organization, maintenance and supervision of a fair insurance rate making bureau; to provide for the making and filing of such rates by the bureau, insurance companies and other insurers; to generally regulate rate making agreements; to prohibit discrimination; and to empower the State Commissioner of Insurance to examine such rate making bureaus; providing penalties for violations; and to repeal all Acts and parts of Acts in conflict herewith." Committee on State Boards and Officers.

H. B. No. 314, by Manning and Metlen: A Bill for an Act Entitled: "An Act permitting the construction of passes on roads and highways which will permit the passage of automobiles and trucks and prevent the passage of livestock; authorizing such construction by county commissioners or under their direction, under certain conditions; and providing that such a pass in a legal fence shall not deprive such fence of its character as a legal fence." Committee on Highways.

H. B. No. 315, by Rognlien: A Bill for an Act Entitled: "An Act relating to the powers of county commissioners to issue and sell funding bonds, and amending Section 6 of Chapter 188 of the 1931 Session Laws of the State of Montana." Committee on Townships and Counties.

H. B. No. 316, by Roll and Reardon: A Bill for an Act Entitled: "An Act providing for a penalty against the owner, lessor or operator of any coal mine, who shall discharge employees for refusing to work in unventilated tunnels, rooms or other excavations, where the same shall not have been ventilated as provided in Sections 3504, as amended, and 3505 Revised Codes of Montana of 1921." Committee on Mines and Mining.

House Bill No. 317, by Roll: A Bill for an Act Entitled: "An Act to amend Sections 4835, 4836, 4843, 4845 and 4847 of Chapter 31 of the Revised Codes of Montana of 1921, relating to the qualifications of county surveyor, defining the powers and duties of county surveyor in certain counties; and providing for compensation of county surveyor." Committee on Townships and Counties.

H. B. No. 318, by Green of Dawson: A Bill for an Act Entitled: "An Act declaring the 'processing and distributing' of gasoline and petroleum products, a public utility placing the same under the supervision of the Public Service Commission of Montana; compelling said commission to fix Montana freight differential or differentials' on gasoline or petroleum products prohibiting discrimination in the sale of products to foreign persons or corporations as against Montana residents providing penalties for violations of this Act." Committee on Public Utilities and State Commissions.

H. B. No. 319 by Committee on Insurance: A Bill for an Act Entitled: "An Act to amend Section 6118 of the Revised Codes of Montana of 1921, relating to obtaining of license to transact insurance business all agents providing for filing of application for license and qualification of applicant; the filing of statement of company at time of termination of employment of an agent; providing for the suspension or revocation of licenses and providing for right of appeal from ruling of Insurance Commissioner." Committee on Insurance.

H. B. No. 320, by Strange, Pilgeram, Knowles and Hilger: A Bill for an Act Entitled: "An Act making it unlawful for any one to use any money appropriated for the Extension Service for the purpose of paying salaries and expenses of County Agents." Committee on Agriculture.

H. B. No. 321, by O'Connell: A Bill for an Act Entitled: "An Act making it mandatory upon the State Highway Commission to perform all highway construction work within the State of Montana, directly under the supervision of the highway commission by employing all labor on a 'by labor basis,' and providing further that the highway commission shall furnish all equipment and materials for the performance of said work and providing a penalty and forfeiture for failure to carry out the provisions of this Act." Committee on Highways.

H. B. No. 322, by Strange: A Bill for an Act Entitled: "An Act to amend Section 2723 of the Revised Codes of Montana for 1921, relating to fees for inspection or examination of boilers, and repealing all Acts and parts of Acts in conflict herewith." Committee on State Boards and Officers.

H. B. No. 323, by Ralston: A Bill for an Act Entitled: "An Act to amend Sections 2819, 2823, 2827, 2830 of the Revised Codes of Montana for 1921, providing for members of the Industrial Accident Board; no additional salary of board members; appointment of secretary of board and salary of secretary and manner of payment of salary." Committee on Workmen's Compensation.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole, for the consideration of General Orders, under the rules in effect at the previous sitting. Seconded. Carried.

Breitenstein of Hill in the Chair.

Committee arose.

House resumed. Mr. Speaker pro tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We your Committee of the Whole, having had under consideration House Bills Nos. 152, S. J. M. No. 8, S. B. No. 25, S. B. No. 7

Respectfully report and recommend as follows:

That House Bill No. 152 do pass.

That S. J. M. No. 8 be concurred in.

That S. B. No. 25 re-referred to Committee on Townships and Counties.

That S. B. No. 7 be concurred in.

BREITENSTEIN, Chairman."

Breitenstein: Move the report be adopted. Seconded.

Duffy: Move that S. J. M. No. 8 be segregated from the report of the Committee of the Whole. Seconded. Carried.

Besancon: Move that S. J. M. No. 8 be put back on General Orders. Seconded. Carried.

Then moved by Breitenstein, that the report of the Committee of the Whole be adopted as amended. Motion seconded and carried.

Rognlien: Move that the House reconsider its action on H. B. No. 192. Seconded. Carried.

Rognlien: Move that H. B. No. 192 be re-referred to the Committee on Revenue and Taxation. Seconded. Carried.

MOTIONS AND RESOLUTIONS

The following resolution was this day introduced:

HOUSE RESOLUTION

WHEREAS, there is a likelihood that a vacancy will occur in the Senate of the United States by reason of the appointment of a Senator from Montana to the Cabinet of the President-elect;

NOW, THEREFORE BE IT RESOLVED; That the House of Representatives of the 23rd Legislative Assembly respectfully recommend that His Excellency, the Governor of the State of Montana, although mindful of the many other excellent men available, consider the Speaker of the House as an appointee to fill such vacancy.

(Signed): Moss, Nelstead, Trenne, McElwain, Watson (Meagher), Balg'd, Logan, Green, Ueland, Anderson, Annin, White, Marshall, Miles, Fred, Sparling, Setzer, Kruse, Parker (Flathead), Stevens (Wheatland), Kowles, Ballard, Stephens (McCone), O'Connell, McDermott, McCarvel, Rardon (Deer Lodge), Fowler, Rolph, Freudenstein, Mulholland, Schuster, Fdlatler, Hagerty, Pilgeram, Givens, Rearden (Cascade), Jensen, Porter, Rl, Conner, Lewis, Quamme, Lott, Waite, Harlen, Acher, Ecton, Watson (Issoula), Chapman, Snidow, Ferry, Spangler, Whaley, Parker (Broadwater), Manning, Somerville, Doe, Ralston, Daugherty, O'Shea, Abrahamson, Kuhl, Wigal, Besancon, Shannon, Arnold, Replogle, Groene, Holeccek, Hight, Metlen, Miller (Lincoln), Hilger, Larsen, Doran.

On motion by Nelstead, resolution adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills and memorials were this day introduced, read first and second times, and referred to committees:

H. J. M. No. 8, by Stevens of Wheatland: "Memorial to the Congress of the United States, requesting the enactment of such legislation as may be necessary for the relief of joint stock land banks." Committee on Banks and Banking.

H. J. R. No. 6, by Pilgeram: "Relating to Branch Banking." Committee on Banks and Banking.

H. B. No. 324, by Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act to amend Section 2435, Revised Codes of Montana, 1911, relating to oleomargarine, cigarettes and warehouses." Committee on Revenue and Taxation.

H. B. No. 325, by Sparling: A Bill for an Act Entitled: "An Act to impose certain license fees and taxes on the sale of cigars, cheroots, stogies, cigarettes, manufactured tobacco, and snuff sold, and fixing certain fees on the business of handling, receiving, selling, offering for sale, or dealing in through sale, barter, or exchange of the above described articles by any person firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties, and to appropriate and apportion the revenues derived from this tax to certain funds of the State of Montana, and repealing other dealer's license fees now exacted in the sale of the aforesaid commodities, and further repealing all Acts and parts of Acts in conflict herewith." Committee on Revenue and Taxation.

H. B. No. 326, by Reardon of Deer Lodge: A Bill for an Act Entitled: "An Act to provide for the construction of a reinforced concrete guard fence around a portion of Silver Lake, situated in the county of Deer Lodge, and providing for the cost of said construction to be paid out of the funds of the State Highway Commission." Committee on Highways.

H. B. No. 327, by Haight: A Bill for an Act Entitled: "An Act to amend Section 4482 of the Revised Codes of Montana of 1921 providing that under certain conditions, county commissioners may contract with

newspapers published in the state of Montana and outside of their county for a portion of the supplies generally included in printing contracts." Committee on Economy.

H. B. No. 328, by Committee on Revenue and Taxation: A Bill for an Act Entitled: "An Act providing for the levy and collection of an income tax; providing for exemptions and fixing basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in its administration; providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under this Act; providing penalties for violations hereof and making appropriations to carry out its purposes." Committee on Revenue and Taxation.

H. B. No. 329, by Shannon: A Bill for an Act Entitled: "An Act to amend Section 2761 of the Revised Codes of Montana, 1921, relating to tax levy and expenditure of funds." Committee on Revenue and Taxation.

H. B. No. 330, by Haight: A Bill for an Act Entitled: "An Act to repeal Sections 2382 and 2383 of the Revised Codes of Montana of 1921, both as amended by Chapter 150 of the Laws of 1923 as amended by Chapter 186 of the Laws of 1925 as amended by initiative measure No. 31 of the Laws of 1927 as amended by Chapter 92 of the Laws of 1929 as amended by Chapter 6 of the Laws of 1931; and to repeal Sections 2384 and 2389 of the Revised Codes of Montana of 1921 both as amended by Chapter 186 of the Laws of 1925; and to repeal Section 2392 of the Revised Codes of Montana of 1921 as amended by Chapter 150 of the Laws of 1923 as amended by Chapter 186 of the Laws of 1925 as amended by Initiative Measure No. 31 of the Laws of 1927; and to repeal Sections 2381, 2385, 2386, 2387, 2388, 2390, 2391, 2395 and 2396 of the Revised Codes of Montana of 1921; and to repeal Sections 2 and 3 of Chapter 19 of the Laws of 1927 as amended by Chapter 92 of the Laws of 1929 as amended by Chapter 6 of the Laws of 1931; and to repeal Chapter 95 of the Laws of 1931; relating to gasoline distributors and dealers license tax and the State Highway Treasury Anticipation Debenture Act." Committee on Petroleum, Oil and Gas.

H. B. No. 331, by Committee on Ways and Means: A Bill for an Act Entitled: "An Act to provide for the support of the government of Montana for the years 1933 and 1934." Committee on Revenue and Taxation.

The following bills were this day introduced, read first and second times at length, and referred to committees:

H. B. No. 332, by Harlen, by request: A Bill for an Act Entitled: "An Act creating a State Narcotic Enforcement Department delegating the Attorney General ex-officio head of the Narcotic Enforcement Department, authorizing the appointment of investigators to carry out the provisions of this Act and providing regulations therefor and providing for an appropriation." Committee on State Board and Officers.

H. B. No. 333, by Fitzstephens, by request: A Bill for an Act Entitled: "An Act making appropriation for and directing payment to the heirs of Paul A. Demanche, deceased, of moneys belonging to such heirs heretofore escheated to the State of Montana, and providing for the determination of heirship." Committee on Appropriations.

H. B. No. 334, by Fitzstephens, by request: A Bill for an Act Entitled: "An Act making appropriation for and directing payment to the heirs of Gertrude Foss Malone, deceased, of moneys belonging to such heirs heretofore escheated to the State of Montana, and providing for the determination of heirship." Committee on Appropriations.

Besancon: Move the House now adjourn until 10:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-FIRST DAY

House of Representatives,
Helena, Montana, February 11, 1933.

House convened, pursuant to adjournment, at 10:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-ninth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

Beadle, proceeding out of order, paid tribute to John D. Ryan, whose death was reported this morning, and moved that the House stand in silence at 11:00 o'clock today, as a mark of respect to Mr. Ryan, who was one of the foremost citizens of this state.

Without objection, so ordered.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills be considered as correctly engrossed: H. B. No.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. Nos. 169, 149, 151, 84, 85 and 93, H. J. R. No. 3.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration Senate Bill No. 91: A Bill for an Act Entitled: "An Act to amend Section 387 of the Revised Codes of the State of Montana relating to the reporting of decisions by the Justices of the Supreme Court and the salary for such services," respectfully report and recommend as follows:

That S. B. No. 91 be concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Helena, February 10, 1933.

The Speaker:

House of Representatives,
Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 39—An Act relating to the election of Mayor and Councilmen under the commission form of government.

H. B. No. 48—An Act permitting Herman A. Kruger to file a claim for compensation for alleged industrial accident.

H. B. No. 50—An Act to amend Section 816 of the Revised Codes of Montana of 1921, relating to the time and place of meeting of the Prudential Electors.

H. B. No. 90—An Act to amend Section 4884 of the Revised Codes of Montana, 1921, relating to mileage of all officers, etc.

J. E. ERICKSON, Governor.

Besancon: Move that the Communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carry.

Helena, February 10, 1933.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee on State and County Economies this day, having had under consideration S. B. No. 65, respectfully report as follows, report adopted: S. B. No. 65 be amended in Section 3, line 3, page 5, by inserting therein after the words, "from the first to," the words, "and including;" be amended in Section 4 in line 20, page 5, by changing the period after the words, "allowed him by law," to a comma, and inserting after the comma the following: "Except that in a county of the sixth and seventh class, the board of county commissioners may allow any county officer to appoint one deputy in excess of the maximum prescribed by this section but application for appointment of any such deputy must be authorized in the manner prescribed by this Section." Also amend Section 5 in line 32, page 6, by striking out the words, "no deputy must be allowed" and inserting in lieu thereof the following: "one deputy may be allowed but application for appointment of such deputy must be made and the appointment must be authorized in the manner prescribed by this section." Also amend in Section 5 in line 21, page 7, by striking out the word, "and", after the words, "counties of the third," and placing a comma in lieu thereof, and adding after the word, "fourth," the words, "and fifth," and striking out of line 22 the word, "fifth." And as so amended said bill do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File respectfully report and recommend as follows:

That House amendments to S. B. No. 1 be not concurred in.

That consideration of S. B. No. 45 be passed for the day.

That S. J. M. No. 10 be amended by inserting in line 8 after the word, "to" the following words: "the relief of"; and as so amended, recommend said S. J. M. do pass.

That S. B. No. 98 do pass.

That S. B. No. 99 be amended in Section 1 by striking out in line 3 of the printed bill the word, "known," and inserting in lieu thereof the word, "such"; and as so amended, recommend said bill do pass.

That S. B. No. 102 be amended by striking out all of lines 16, 17 and 18, printed bill, of Section 1, and as so amended, recommend said bill do pass.

That consideration of S. B. No. 103 be passed for the day.

That S. B. No. 105 do pass.

That S. B. No. 107 be amended in Section 1, line 1, by inserting after the word, "item," the words, "or items," and as so amended, recommend said bill do pass:

That consideration of S. B. No. 108 be indefinitely postponed.
That S. B. No. 111 do pass.
That S. B. No. 115 do pass.
That S. B. No. 120 do pass.
That H. B. No. 9 be concurred in.
That H. B. No. 35 be concurred in.
That consideration of H. B. No. 62 be passed for the day.
That the Committee arise.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 162, by Thien: A Bill for an Act Entitled: "An Act to amend Section 86 of Chapter 148 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana of 1931, relating to finance and taxation for county and district high schools and providing a maximum tax that may be levied for county and district high school purposes." Referred to Committee on State and County Economies.

S. B. No. 163, by Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 933 Revised Codes of Montana 1921, relating to the official staff of the State Superintendent of Public Instruction." Referred to Committee on State and County Economies.

S. B. No. 164, by Kelsey and Holton: A Bill for an Act Entitled: "An Act requiring stock inspectors and sheriffs inspecting stock under authority of Chapter 238 or Chapter 239, part 3, political Code of the Revised Codes of Montana, 1921, to report same to Livestock Commission, declaring a violation of said act a misdemeanor and fixing the penalty therefor." Referred to Committee on Stockgrowing and Grazing.

S. B. No. 165, by Kelsey: A Bill for an Act Entitled: "An Act to amend Section 2114, Revised Codes of Montana, 1921, as amended by Chapter 43 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, and Sections 2115 and 2116, Revised Codes of Montana, 1921, and the enactment of an additional Section, permitting county boards of equalization to change the classification or value of property in the counties and prohibiting the State Board of Equalization from raising generally the values of any class of property in a county, without a general hearing in said county." Referred to Committee on Counties and Towns.

S. B. No. 166, by Husband: A Bill for an Act Entitled: "An Act making it unlawful for the driver of a motor vehicle or other person in said motor vehicle who has or assumes authority over such driver after collision or accident to conceal or attempt to conceal his identity; prescribing the duty of a driver of a motor vehicle or other person in said motor vehicle who has or assumes authority over such a driver after collision or accident; and prescribing penalty for the violation of any of the provisions of this Act." Referred to Committee on Judiciary.

S. B. No. 167, by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to amend or supplement original contracts with the United States, and relating to the procedure to be followed in making such contracts." Referred to Committee on Irrigation and Water Rights.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 145, by Plumer: A Bill for an Act Entitled: "An Act to prevent the monopoly of transportation service on the highways of Montana by any competing form of transportation service; and to prohibit the control of both competing forms of transportation by any railroad company; and prescribing a penalty for a violation of this Act." Referred to Committee on Roads and Highways.

S. B. No. 146 by Plumer: A Bill for an Act Entitled: "An Act requiring the secretary and chief clerk respectively of the Senate and House of Representatives of the Legislative Assembly of the State of Montana to make out and mail to the county clerk of each county a copy of all records had during sessions of the legislative assembly and prescribing the duties of county clerks in connection therewith." Referred to Committee on Counties and Towns.

S. B. No. 147, by Kalberg: A Bill for an Act Entitled: "An Act providing regulations for telephone wires across highways or country roads, making it a misdemeanor to injure same and providing a penalty therefor." Referred to Committee on Judiciary.

S. B. No. 148, by MacGillvra: A Bill for an Act Entitled: "An Act to amend Section 3714 of the Revised Codes of the State of Montana, 1921 as amended by the Session Laws of the Twentieth Legislative Assembly of 1927 relating to the catching of fish except with pole, line and hook, and use of traps, nets and seines." Referred to Committee on Fish and Game.

S. B. No. 149, by Murphy: A Bill for an Act Entitled: "An Act to amend Sections 715, 716 and 720, Revised Codes of 1921, and Section 721 as amended by Chapter 151, Session Laws 1923, relating to voting by absent voters and to extend the provisions thereof to persons incapacitated by age, sickness or injuries." Referred to Committee on Elections and Privileges.

S. B. No. 150, by Lamp: A Bill for an Act Entitled: "An Act providing for the State Board of Examiners to certify to the State Auditor the estimated revenue to meet appropriations, and providing for the procedure on the estimated revenue is greater than the actual receipts, and further providing for a revision of the State Examiner's estimate and prohibiting the State Auditor from issuing warrants in excess of the estimated revenue of any fiscal year." Referred to Committee on Finance and Claims.

S. B. No. 151, by Campbell and Larson: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8, authorizing the legislature, by a general or special law, to provide for the abandonment, abolishment and termination or consolidation of counties and for the termination of the terms of office of officers of counties so abandoned, abolished, terminated or consolidated." Referred to Committee on Constitutional Amendments.

S. B. No. 152, by Holt: A Bill for an Act Entitled: "An Act providing for the recount of the votes cast at any general or special election or a municipal election by the board of canvassers, pursuant to an order therefor upon application made to the district court or a judge thereof by an unsuccessful candidate and providing for the correction of official canvases by the said board to conform to such recount, and the issuance of certificate of election to the successful candidate as disclosed by said recount." Referred to Committee on Elections and Privileges.

S. B. No. 153, by Donovan and Walker: A Bill for an Act Entitled: "An Act to limit, regulate and license the manufacture and sale of a

and all liquors or beverages that may hereafter be manufactured, sold or dispensed in the State of Montana." Referred to Committee on Judiciary.

S. B. No. 154, by Kalberg and Kelsey: A Bill for an Act Entitled: "An Act to amend Section 8931, of the Revised Codes of the State of Montana of 1921, and Section 8933 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 36 of the Session Laws of the Twentieth Legislative Assembly of 1927, relating to the salary and compensation of the district court stenographers." Referred to Committee on State and County Economies.

S. B. No. 155, by Jorgensen and Staggs: A Bill for an Act Entitled: "An Act to amend Chapter 54 of the political code of the Revised Codes of the State of Montana of 1921 relating to the ballots and their preparation and form for general elections in the State of Montana; by the addition thereto of a new section to be known as Section 680-A, and by the amendment of Section 681 of the Revised Codes of the State of Montana of 1921 all providing for the form and preparation of the general election ballot, and further providing the candidates that shall be chosen non-partisan and those chosen affiliated candidates; and repealing Section 672 of the Revised Codes of the State of Montana and amending all acts and parts of Acts in conflict with the provisions of this Act so as to conform with the provisions of this Act." Referred to Committee on Elections and Privileges.

S. B. No. 156, by Colburn: A Bill for an Act Entitled: "An Act to amend Section 5306, of the Revised Codes of the State of Montana, 1921, as amended by Chapter 13, laws of the Twenty-First Legislative Assembly providing for the discontinuance of streets and alleys by the city town council." Referred to Committee on Counties and Towns.

S. B. No. 157 by Keeley: A Bill for an Act Entitled: "An Act to amend Chapter 255 of part 3 of the political code of the Revised Codes of the State of Montana of 1921, relating to the fish and game laws of the State of Montana and providing for the Fish and Game Commission and garden; by the addition thereof, of a new section to be known as Section 3653-A, and providing that the Fish and Game Commission shall have discretionary power of adjusting all claims for damages caused by animals protected by the laws of the State of Montana, and the rules and regulations adopted by the Fish and Game Commission." Referred to Committee on Fish and Game.

S. B. No. 158, by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act to amend Section 7249, Revised Codes of Montana, 1921, to provide for payment of certain irrigation district assessments by the surrender of certain bonds and coupons." Referred to Committee on Irrigation and Water Rights.

S. B. No. 159, by Ruffcorn: A Bill for an Act Entitled: "An Act to amend Section 8933 Revised Codes of Montana 1921 as amended by Chapter 36 Session Laws 1927, relating to the salary and mileage of court stenographers." Referred to Committee on Judiciary.

S. B. No. 160, by Carroll: A Bill for an Act Entitled: "An Act to amend Sections 3 and 4 of Chapter 188 of the Session Laws of 1931, relating to limitation of county indebtedness and terms of bonds and rates of interest." Referred to Committee on Counties and Towns.

S. B. No. 161, by Kane: A Bill for an Act Entitled: "An Act to amend Section 3355 of the Revised Codes of the State of Montana of 1921, relating to the sale of animals under false registration certificates or fraudulently changing the markings and providing for false representation of the production record of cattle." Referred to Committee on Dairies and Horses.

S. J. M. No. 13, by MacGivra: A memorial memorializing the Congress of the United States urging immediate action toward curbing im-

portation of foreign goods, at the expense of closing of our mines, mills and factories, and the unemployment of our people. Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of introduction of bills were this day received:

By Carey: A Bill for an Act Entitled: "An Act to amend Section 2239, Revised Codes of Montana, 1921, as amended by Chapter 102 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to the collection of personal property taxes by the county treasurer."

By Kelsey: A Bill for an Act Entitled: "An Act to amend Section 2114, Revised Codes of Montana, 1921, as amended by Chapter 45 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, and Sections 2115 and 2116, Revised Codes of Montana, 1921, and the enactment of an additional section, permitting county boards of equalization to change the classification or value of property in the counties and prohibiting the State Board of Equalization from raising generally the value of any class of property in a county, without a general hearing in said county."

By Committee on Federal Relations: A Resolution requesting the enactment by Congress of legislation necessary to bring about the completion of a through seaway via the St. Lawrence River, and requesting the President of the United States to proceed to a treaty with Canada relative thereto.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 10, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Education: That S. B. No. 54 be reported back to the Senate without recommendation, report adopted.

Majority of Committee on Oil and Leases: That S. B. No. 87, by Campbell and Willis, do not pass. Minority of Committee on Oil and Leases: That S. B. No. 87 do pass. As substitute motion, bill be printed and placed on general file, adopted.

Committee on Public Lands: That S. B. No. 127, by Ekegren, Duff and Thien, do pass, report adopted.

Committee on Public Lands: That S. B. No. 128, by Angvick and Holt, be amended by striking out the period at the end of Section 3 and inserting a comma, and adding the following: "when so requested by the board of county commissioners." And as so amended, recommend said bill do pass, report adopted.

Committee on Public Lands: That S. B. No. 131, by Thien, Kilpatrick and Ekegren; be amended by striking out in line 20, page 1, original bill, the words, "at the time the taxes become delinquent," and inserting the following after the word, "property," "as shown by the records in the office of the county treasurer." And as so amended, recommend said bill do pass, report adopted.

Committee on Agriculture: That H. B. No. 66, by Kruse, be amended in line 11, printed bill, by striking out the word, "twelve," and inserting in lieu thereof the word "seven"; and be further amended by striking out in line 12 the words, "two dollars," and inserting in lieu thereof the words, "one dollar and fifty cents;" and as so amended, recommend said bill be concurred in, report adopted.

Committee on Agriculture: That H. B. No. 107, by Committee on Agriculture, be concurred in, report adopted.

Committee on Roads and Highways: That H. B. No. 124, by Moss and Breitenstein, be amended by inserting in Section 3, in line 10, page 2, after the word, "sheriffs", the following words: "or justices of the peace of the respective counties"; and by inserting in line 11 of said Section 3 after the word "sheriffs", the words, "or justice of the peace"; and by inserting in line 19 of Section 4, page 2, after the word, "sheriffs", the words, "or justices of the peace of the respective counties"; and by striking out in line 11 of Section 8, page 4, the word, "district," and inserting in lieu thereof the words, "in any justice of the peace." And as so amended recommend said bill be concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Pierson: Move that Senate Bill No. 7 be taken from third reading and re-referred to Committee on Judiciary. Seconded. Defeated.

MOTIONS AND RESOLUTIONS

February 11, 1933.

To the Speaker and
To Members of the House of Representatives.

WHEREAS, in view of the fact that it was impossible because of certain limitations for the County of Musselshell to hold an election under proclamation of the Governor to fill a vacancy declared to exist in this House and which still exists, and

WHEREAS, it being desirable that such representation be had,

THEREFORE, BE IT RESOLVED: That John E. Sadring, be seated in this House as the Representative from the County of Musselshell.

REPLOGLE,
SNIDOW,
FOWLER,
KRUSE,
ABRAHAMSON,
REARDEN.

Nelstead: Move the adoption of the Resolution. Seconded. Defeated by a standing vote of 27 "ayes" to 43 "noes."

The Speaker gave notice that he was about to sign Senate Joint Memorial No. 2, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 6, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 3, and thereupon signed the same in the presence of the House.

Besancon: Move that Senate Joint Memorial No. 8, be taken from General Orders and re-referred to the Committee on Mines and Mining. Seconded. Carried.

Byrne: Move the House grant the request of the Senate for the return of House Bill No. 23 to the Senate. Seconded. Carried.

THIRD READING OF SENATE BILLS

Without objection, on motion of Besancon, it was ordered that all bills on third reading be read by title, history and section number only.

Senate Bill No. 6, introduced by Garber, having been read several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Barnd, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Findlater, Fowler, Freed, Givens, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Her, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Lott, McCarvel, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Scerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Trane, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Kruse, Mr. Speaker. Total 79.

Noes: Beadle, Bjorneby, Chapman, Duffy, Ferry, Fitzstephens, Freudenstein, Goodwin, Harrington, Love, McDermott, Mulholland, O'Connell, Pilgeram, Rolph, Stephens (McCone), Sullivan. Total 17.

Absent and not voting: Acher, Logan, Metlen, Moss, Shannon. Total 5.

The Speaker: Seventy-nine have voted "aye", 17 have voted "no"; S. B. No. 6 has been concurred in by the House.

Senate Bill No. 44, introduced by Husband, having been read several times, title and history agreed to, was not concurred in, and being as follows:

Ayes: Annin, Arnold, Balgord, Ballard, Bjorneby, Breitenstein, Bue, Campbell, Chapman, Daugherty, Ecton, Fitzstephens, Fowler, Freed, Grobow, Groene (Fergus), Hilger, Jensen, Kruse, Marshall, Mason, Mes, Miller (Big Horn), Nelstead, Parker (Flathead), Pierson, Pilgeram, Ragen, Rearden (Cascade), Rognlien, Roll, Rolph, Shannon, Stevens (Wheatland), Stiefel, Strange, Ueland, Waite, Watson (Meagher), White, Scerville, Sparling, Mr. Speaker. Total 43.

Noes: Abrahamson, Anderson, Beadle, Besancon, Blankenbaker, Conner, Cusker, Doe, Duffy, Ferry, Findlater, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Holecek, Knowles, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Miller (Lincoln), Mulholland, Nass, Nutting, O'Shea, Parker (Broadwater), Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Schuster, Setzer, Snidow, Spangler, Stephens (McCone), Sullivan, Trane, Whaley, Wigal, Woodcock. Total 51.

Absent and not voting: Acher, Doran, Logan, Metlen, Moss, O'Connell, Watson (Missoula). Total 7.

The Speaker: Forty-three have voted "aye", 51 have voted "no"; S. B. N. 44 has not been concurred in by the House.

Senate Bill No. 77, introduced by Coburn, having been read several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason,

Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Acher, Doran, Duffy, Moss, Nutting, Spangler, Watson (Meagher), Watson (Missoula). Total 8.

The Speaker: Ninety-three have voted "aye", none have voted "no"; B. No. 77 has been concurred in by the House.

Senate Bill No. 89, introduced by Donovan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Annin, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Logan, Metten, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Rognlien, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Whaley, White, Wigal Mr. Speaker. Total 73.

Noes: Anderson, Balgord, Cusker, Givens, Haight, Lewis, Love, Manning, Miles, Miller (Big Horn), Nass, Porter, Rearden (Cascade), Setzer, Stevens (Wheatland), Watson (Meagher), Woodcock. Total 17.

Absent and not voting: Acher, Doran, Fitzstephens, Holecek, Moss, O'Connell, Ralston, Reardon (Deer Lodge), Replogle, Roll, Watson (Missoula). Total 11.

The Speaker: Seventy-three have voted "aye", 17 have voted "no"; S.B. No. 89 has been concurred in by the House.

Senate Bill No. 28, introduced by Ekegren, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Cusker, Daugherty, Doe, Duffy, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Kruse, Kuhl, Larsen, Lewis, Logan, Metten, Love, McCarvel, McDermott, McElwain, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Rolph, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Sullivan, Trenne, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 73.

Noes: Chapman, Conner, Hilger, Holecek, Jensen, Knowles, Manning, Marshall, Mason, Metlen, Mulholland, Parker (Broadwater), Ragen, Replogle, Schuster, Stevens (Wheatland), Stiefel, Strange, Ueland. Total 19.

Absent and not voting: Acher, Doran, Ecton, Fitzstephens, Moss, O'Connell, Ralston, Roll, Watson (Missoula). Total 9.

The Speaker: Seventy-three have voted "aye", 19 have voted "no"; S.B. No. 28 was concurred in by the House.

Senate Bill No. 7, introduced by Keeley, by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Ballard, Beadle, Besancon, Bjornek, Breitenstein, Campbell, Chapman, Cusker, Daugherty, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Sullivan, Trenne, Ueland, Waite, Wigal, Mr. Speaker. Total 73.

Noes: Annin, Arnold, Blankenbaker, Byrne, Conner, Grabow, Green (Dawson), Groene (Fergus), Logan, Pierson, Setzer, Shannon, Somerville, Stiefel, White. Total 15.

Absent and not voting: Acher, Balgord, Doe, Doran, Hagerty, Ku Moss, O'Connell, Parker (Broadwater), Strange, Watson (Meagher), Watson (Missoula), Woodcock. Total 13.

The Speaker: Seventy-three have voted "aye", 15 have voted "no". S. B. No. 7 has been concurred in by the House.

THIRD READING OF HOUSE BILLS

House Bill No. 85, introduced by Committee on State Boards and Officers, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Wigal, White, Wigal, Woodcock, Mr. Speaker. Total 94.

Noes: Hagerty. Total 1.

Absent and not voting: Acher, Logan, Moss, O'Connell, Ralston, Watson (Missoula). Total 6.

The Speaker: Ninety-four have voted "aye", 1 has voted "no". S. B. No. 85 has passed the House.

Rognlien: Move that Substitute House Bill No. 70 be taken from third reading and re-referred to the Committee on Revenue and Taxation. Seconded. Carried.

House Bill No. 168, introduced by Committee on Labor, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, M-

Cavel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Tanne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes: Arnold, Metlen. Total 2.

Absent and not voting: Acher, Byrne, Logan, Moss, O'Connell, Porter, Shannon, Watson (Missoula). Total 8.

The Speaker: Ninety-one have voted "aye", 2 have voted "no"; H. B. No. 168 has passed the House.

House Bill No. 149, introduced by the Committee on State Lands, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lian, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Acher, Byrne, Marshall, Moss, O'Connell, Ralston, Shannon, Watson (Missoula). Total 8.

The Speaker: Ninety-three have voted "aye," none have voted "no"; H. B. No. 149 has passed the House.

Shannon: Move that House Bill No. 151 be taken from third reading and re-referred to the Committee on Horticulture. Seconded. Carried.

House Bill No. 84, introduced by Committee on State Boards and Officers, having been read three several times, title and history agreed to was passed by the following vote:

Ayes, Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: Duffy, Nutting, Ralston, Replogle. Total 4.

Absent and not voting: Acher, Byrne, Freed, Harrington, Marshall, Moss, O'Connell, Shannon, Watson (Meagher), Watson (Missoula). Total 1

The Speaker: Eighty-seven have voted "aye", 4 have voted "no"; H. B. No. 84 has passed the House.

House Bill No. 93, introduced by Goodwin, Freudenstein, Beadle and Harrington, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Findlater, Stephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groves (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowlton, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwaine, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Redden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McConville), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 88.

Noes: Arnold, Balgord, Porter. Total 3.

Absent and not voting: Acher, Fowler, Freed, Harrington, Leach, Moss, O'Connell, Replogle, Shannon, Watson (Missoula). Total 10.

The Speaker: Eighty-eight have voted "aye", 3 have voted "no"; H. B. No. 93 has passed the House.

Besancon: Move the House pass the balance of third reading upon this afternoon. Seconded. Carried.

MOTIONS AND RESOLUTIONS

Roll: Move that H. J. R. No. 3 be re-referred to the Committee on Education. Seconded. Carried.

Besancon: Move the House reconsider its action on Senate Bill No. 44, taken this morning. Seconded. Carried.

Besancon: Move that Senate Bill No. 44 be re-referred to the Committee on Judiciary. Seconded. Carried.

Replogle: Move that the House reconsider its action of this morning on the Resolution asking for the seating of John E. Sadring as a Representative from Musselshell County. Seconded. Defeated.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred H. B. Nos. 175, Substitute H. B. No. 25, H. B. Nos. 215, 228, 246, 167, 252, 131, 200, 216, 179, 183 and 186 beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

Proceeding out of order, the Speaker expressed his grateful appreciation for the action of the House last night in endorsing him for a pointment as United States Senator, and stated that "even to be mentioned in connection with this high responsibility fills one with the deepest sense of appreciation."

Besancon: Move the House now recess until 1:55 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 1:55 o'clock p. m.

Mr. Speaker in the Chair.

A short program had been prepared by the Committee on Amusements in honor of Lincoln's birthday. A committee of three, consisting of McCarvel of Deer Lodge, Nelstead of Carter, and Grabow of Park, was appointed to invite the Honorable Senate to join with the House in the program prepared. A committee of three, consisting of Miller of Lincoln, Watson of Meagher, and Chapman of Daniels, was appointed to invite his excellency, the Governor, to the House for the program, and to escort him to the rostrum.

Col. I. G. Reiche, a veteran of the Civil War, was escorted to the rostrum, and presented by the Speaker to those present.

THIRD READING OF HOUSE BILLS

House Bill No. 112, introduced by Stiefel, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Woodcock, Mr. Speaker. Total 84.

Noes: Miller (Big Horn). Total 1.

Absent and not voting: Acher, Arnold, Balgord, Conner, Cusker, Doran, Freed, Freudenstein, Love, Metlen, Moss, O'Connell, Rolph, Schuster, Watson (Missoula), Wigal. Total 16.

The Speaker: Eighty-four have voted "aye", 1 has voted "no"; H. No. 112 has passed the House.

Shannon: Move that House Bill No. 151 be taken from Committee on Horticulture, and put back on Third Reading. Seconded. Carried.

House Bill No. 151, introduced by Committee on Horticulture, having been read three several times, title and history agreed to, was defeated by the following vote:

Ayes: Porter, Rearden (Cascade), Roll. Total 3.

Noes: Abrahamson, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Kuhl, Larsen, Lewis, Lott, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Fowler, Freudenstein, Mr. Speaker. Total 80.

Absent and not voting: Acher, Arnold, Cusker, Doran, Freed, Knowles, Kruse, Logan, Love, Manning, Moss, O'Connell, Schuster, Watson (Missoula). Total 14.

The following "passed": Groene (Fergus), Jensen, Pierson, Strang Total 4.

The Speaker: Three have voted "aye", 80 have voted "no"; H. No. 151 has failed to pass the House.

Shannon: Move that the House reconsider its action on House B No. 151. Seconded. Defeated.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Economy, having had und consideration Senate Bill No. 82: A Bill for an Act Entitled: "An A amending Sections 8814, 440, 202, 219, 28, 284, 363, 437, 438, 439, 93 1558, 1958, 2446, 2739, 2740, 2819, 3255, 3557, 3784, and 3786, of the R vised Codes of the State of Montana of 1921, and amending Section 14, Chapter 16, of the Session Laws of the Twentieth Legislative Assembly 1927, and amending Section 3, of Chapter 179, of the Session Laws of t Nineteenth Legislative Assembly of 1925, and amending Section 59 Chapter 89, of the Session Laws of the Twentieth Legislative Assembly 1927, relating to the salaries and compensation of certain state officer district judges, and of all deputy state officers and clerks, stenographer and employees and all state offices, commissions, boards, bureaus, and d partments, and further providing that all Acts and parts of Acts in co flict with the provisions of this Act are hereby specifically amended a cording to this Act." Respectfully report and recommend as follows:

That S. B. No. 82 be concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had und consideration Senate Bill No. 16: A Bill for an Act Entitled: "An A fixing and designating the annual salaries of the Governor, Secretary State, State Auditor, State Treasurer, Attorney General, Clerk of the Su reme Court, Superintendent of Public Instruction, and repealing Sections 12 200, 375 and 436, Revised Codes of Montana, 1921, and Section 162, R vised Codes of Montana, 1921, as amended by Chapter 153, Session Lav 1927," Respectfully report and recommend as follows:

That S. B. No. 16 be concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had und consideration Senate Bill No. 21: A Bill for an Act Entitled: "An Act amend Section 1 of Chapter 92, Session Laws of 1927, being an Act e titled: 'An Act relating to the giving of notice on application for tax dee by counties, cities and towns, and legalizing and validating tax deeds her tofore issued to counties, cities and towns," respectfully report and r commend as follows:

That S. B. No. 21 be concurred in.

GROENE, Chairman."

On motion by Groene report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had und consideration House Bill No. 231: A Bill for an Act Entitled: "An A authorizing actions to quiet title to personal property; providing for t procedure in such actions, and the effect of decrees therein." Respec fully report and recommend as follows:

That H. B. No. 231, do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules in effect at the previous sittings. Seconded. Carried.

Sparling of Sheridan in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Sub. H. B. No. 59, H. B. Nos. 72, 117, 176, 157, 103, 137, 109, 96, 198, 199, S. B. Nos. 76, 93, S. J. M. No. 4, H. B. Nos. 122, 135, S. J. M. No. 7, S. B. Nos. 29, 82, 16 and 21, respectfully report and recommend as follows:

That Sub. H. B. No. 59 do pass.

That H. B. No. 72 be re-referred to the Printing Committee with instructions that the same be reprinted.

That H. B. No. 117 have enacting clause stricken.

That H. B. No. 176 be passed for the day.

That H. B. No. 157 do pass.

That H. B. No. 103 do pass.

That H. B. No. 137 do pass.

That H. B. No. 109 do pass.

That H. B. No. 196 do pass.

That H. B. No. 198 do pass.

That H. B. No. 199 do pass.

That S. B. No. 76 be concurred in.

That S. B. No. 93 be concurred in.

That S. J. M. No. 4 be concurred in.

That H. B. No. 122 be passed for the day.

That H. B. No. 135 be passed for the day.

That S. J. M. No. 7 be concurred in.

That S. B. No. 29 be passed for the day.

That S. B. No. 82 be re-referred to the Committee on Economy.

That S. B. No. 16 be passed for the day.

That S. B. No. 21 be passed for the day.

SPARLING, Chairman."

On motion by Sparling, report adopted.

Duffy: Referring to House Bill No. 196, I move the clerk be authorized to correct Section 1 by striking out the word "the" before the word "Act" in Line 3, and inserting in lieu thereof the word "this." Seconded. Carried.

Besancon: Move the House now adjourn until 10:00 o'clock Monday morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

 FORTY-THIRD DAY

House of Representatives,
Helena, Montana, February 13, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except Blankenbaker, Moss, O'Connell, Watson of Missoula, all excused; Custer, Duffy.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fortieth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

COMMUNICATIONS AND PETITIONS

United States Senate,
Committee on Public Lands and Surveys

February 9, 1933.

"Hon. D. A. Dellwo, Speaker,
House of Representatives,
Helena, Montana.

Dear Mr. Dellwo:

I am enclosing a communication from the Chairman of the Federal Home Loan Bank at Portland, as it is of interest to the people of Montana. I suggest that you have it read before the Assembly.

Very truly yours,
T. J. WALSH."

"Federal Home Loan Bank of Portland
Eleventh District
Pacific Building
Portland, Oregon

February 2, 1933.

Senator Thomas J. Walsh,
U. S. Senate Building,
Washington, D. C.

My Dear Senator:

The Federal Home Loan Bank of Portland is anxious to develop more business. It has a full executive staff of experienced men and sufficient clerical force to handle the business, for the present.

We are now engaged in obtaining and passing on applications for membership by eligible institutions and in perfecting preparations to start into loaning operations on a large scale as quickly as enabling legislation is passed by the state legislatures of this district. We have corresponded and co-operated with citizens of your state in the preparation of enabling legislation that will permit eligible institutions of your state to enjoy the benefits of the Federal Home Loan Bank of Portland.

Report has been made to us that bills have been introduced into the several legislatures to bring this about. We are somewhat disappointed in the delay that is being experienced in acting upon these bills by some legislatures. Possibly, this cannot be avoided, but if you could render assistance by writing to members of the legislature of your own state, with whom you are acquainted, that would tend to hurry up this legislation. We are sure that it will be appreciated by your own citizens and will be a direct benefit to them.

No doubt, you are familiar with the Federal Home Loan Bank Act which provides for retirement of government capital gradually as stock subscriptions are made by eligible institutions. The Federal Home Loan

Ink Board of Washington, D. C., has outlined its policy for encouraging loans to home owners, so that the benefits of this system will reach through the individual and will not be used for maintaining liquidity in eligible institutions.

Very truly yours,
(SIGNED) F. S. McWILLIAMS,
Chairman."

Referred to Committee on Banks and Banking.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your Conference Committee, having had under consideration House Amendment to Senate Bill No. 1, hereby respectfully report as follows:

That Section 1 be amended as follows: In the printed bill as reported by the House, strike out after the word "Montana" the comma and insert a period therefore, and strike out the remainder of said line and all lines 8 and 9 and up to and including the word "necessary" in line 10 and insert in lieu thereof the following:

"The said board shall also appoint such other executive or administrative officers, agents and employees for said University of Montana as they may deem necessary at salaries not to exceed Four Thousand Dollars (\$4,000.00) per annum in any one instance."

And that the House amendments to said Senate Bill No. 1 as so amended be concurred in.

(SIGNED)

KELSEY,
GARBER,
MURPHY,
FREED,
ROLPH,
CUSKER.

On motion of Freed, report adopted.

Pierson: A point of order: That the conference committee is attempting to make an amendment to a bill.

After discussion, the Speaker ruled that as the gentleman from Yellowstone was objecting to the amendments to Senate Bill No. 1 proposed by the Committee on Education, the point of order was not well taken, because it should have been raised on that question at the time the report of the Committee on Education was before the House.

A roll call was ordered on the motion of Freed that the report of the Conference Committee be adopted, which resulted in the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Bencon, Bjorneby, Byrne, Campbell, Chapman, Conner, Doe, Ecton, Fey, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Green (Dwson), Groene (Fergus), Hagerty, Harlen, Hilger, Holecek, Knowles, Kise, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McIlwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Mier (Lincoln), Mulholland, Nass, Nelstead, O'Shea, Parker (Flathead), Pater (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Seer, Shannon, Sparling, Stephens (McCone), Stevens (Wheatland), Stiel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, Wial, Woodcock, Mr. Speaker. Total 77.

Noes: Beadle, Breitenstein, Harrington, Pierson, Snidow. Total 5.

Absent and not voting: Acher, Blankenbaker, Cusker, Daugherty, Don, Duffy, Freudenstein, Grabow, Haight, Jensen, Moss, Nutting, O'Connell, Replogle, Somerville, Spangler, Sullivan, Watson (Missoula), Wle. Total 19.

Mr. Speaker: Seventy-seven have voted "aye", 5 have voted "no"; the report of the Conference Committee on Senate Bill No. 1 has been adopted by the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill be considered as correctly engrossed: House Bill No. 146.

ROLPH, Chairman.

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 148, 152, 156, 142 and 172.

ROLPH, Chairman.

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Public Safety, having had under consideration Senate Bill No. 71, introduced by Walker, A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, be stopped at all railway grade crossings before traversing such crossings," respectfully report and recommend as follows: That Senate Bill No. 71 be concurred in.

PIERSON, Chairman.

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 92, introduced by Freudenstein, A Bill for an Act Entitled: "An Act requiring certain vehicles carrying explosive substances or inflammable liquids or carrying passengers for hire, be stopped at all railway grade crossings before traversing such crossings," respectfully report and recommend as follows: That House Bill No. 92 do not pass.

PIERSON, Chairman.

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 72, A Bill for an Act Entitled: "An Act regulating the business of warehousing or storing beans and requiring all persons engaged in that business to first procure a license and furnish a bond and prescribing penalties for a violation of the Act and prescribing the powers and duties of the Commissioners of Agriculture."

Respectfully report and recommend as follows: That Senate Bill No. 72 be concurred in.

SNIDOW, Chairman.

On motion by Snidow, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that messages from the Senate be considered each at length and that the Journal so show. Seconded. Carried.

February 11, 193

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 9, by Replogle and Ballard, was this day read three several times and concurred in as amended, title and history stated, to, and bill is herewith returned to the House for concurrence in amendments:

Senate Committee on State and County Economies Amendments to H. B. 9.

Amend in lines 18 and 19, page 2, original bill, by striking out the words, "in performance of any official duty," which appears after the word, "traveled" in line 18.

Amend in lines 22 and 23, page 2, original bill, by striking out the words and figure "eight cents (8c)", and inserting in lieu thereof the words and figure, "nine cents (9c)."

Amend in lines 28 and 29, page 2, original bill, by striking out the remainder of the paragraph after the word, "transportation," down to and including the word, "expense," on line 10 of page 3.

Respectfully,

J. F. CONE,
Secretary.

February 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 124, by Moss and Breitenstein, was this day indefinitely postponed, on recommendation of the Senate Committee of the Whole, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

February 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 45, by Freudenstein.

H. B. No. 35, by Ballard.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 45 be passed for the day.

That consideration of S. B. No. 103 be passed for the day.

That S. B. No. 110 do pass.

That S. B. No. 106 do pass.

That S. B. No. 116 do pass.

That S. B. No. 118 do pass.

That S. B. No. 126 be amended in Section 4 by striking out in lines 3 and 4 of the printed bill, the words, "and without reference to prior ownership." That S. B. No. 126 be amended in Section 4 by striking out in line 6 the words, "as near," and as so amended, recommend said bill do pass.

That S. B. No. 75 do pass.

That S. J. R. No. 3 do pass.

That H. B. No. 107 be concurred in.

That consideration of H. B. No. 66 be passed for the day.

That further consideration of H. B. No. 124 be indefinitely postponed.

That H. B. No. 91 be concurred in.

That H. B. No. 96 be concurred in.

That H. B. No. 128 be concurred in.

That consideration of H. B. No. 62 be passed for the day.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Taxation: That S. B. No. 18 do not pass, report adopted.

Committee on Taxation: That S. B. No. 31 be amended in the title by adding after the word, "agricultural," in line 4, original bill, the words "and grazing"; amend Section 1 in line 8, by adding after the word, "agricultural," the words, "and grazing"; by striking in line 8 after the word "thereon," the words, "and upon all city and town lots with the improvements thereon used for residence or dwelling purposes." Amend Section 3, line 13, by adding after the word, "effect," the words, "one year" and as so amended, recommend said bill be reported out without recommendation. On motion, ordered printed and placed on General File.

Committee on Elections and Privileges: That S. B. No. 112 do pass, report adopted.

Committee on Elections and Privileges: That S. B. No. 113 do pass, report adopted.

Committee on Elections and Privileges: That S. B. No. 149 do pass, report adopted.

Committee on Finance and Claims: That H. B. No. 46 be concurred in, report adopted.

Committee on Finance and Claims: That H. B. No. 111 be not concurred in, as substitute motion, bill ordered placed on General File.

Committee on Finance and Claims: That H. B. No. 126 be concurred in, report adopted.

Committee on Finance and Claims: That H. B. No. 143 be concurred in, report adopted.

Committee on Labor and Capital: That H. J. M. No. 3 be concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 11, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time, and referred to committees:

S. B. No. 168, by Carey: A Bill for an Act Entitled: "An Act to amend Section 2239, Revised Codes of Montana, 1921, as amended by Chapter 102 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to the collection of personal property taxes by the county treasurer." Referred to Committee on Judiciary.

S. B. No. 169, by Holt, by request: A Bill for an Act Entitled: "An Act to amend Section 1051 of the Revised Codes of Montana 1921 as amended by Section 1 of Chapter 118 of the Laws of the Twentieth Legislative

Assembly of the State of Montana relating to the manner of taking the school census; defining residence for school census purposes; fixing compensation of the clerk and providing penalties for false or fraudulent reports and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Education.

S. B. No. 170, by Plank: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana, an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8 prohibiting the abandonment, abolishment, termination or consolidation of counties except by a majority vote of the duly qualified electors in the county or counties proposed to be abandoned, abolished, terminated or consolidated." Referred to Committee on Constitutional Amendments.

S. B. No. 171, by Willis: A Bill for an Act Entitled: "An Act to supplement Chapter 17, laws Twenty-First Legislative Assembly of the State of Montana, 1929, concerning aeronautics, etc., and to provide for the regulation and licensing of aircraft and pilots under state jurisdiction, further defining aeronautical terms, providing for the creation of the Montana Aeronautics Commission, appointment of the members thereof to serve without compensation and defining its powers and duties, placing it under supervision on all aeronautical activities and facilities within the state except as herein provided, directing it to encourage aeronautics, creating a fund to be known as the aeronautics fund for the fiscal administration of this Act, and limiting the fees that may be imposed for registration, licenses, and certificates of approval hereunder, and requiring conformity with current federal legislation and regulations applicable to the aeronautical activities and facilities subject to the jurisdiction of said commission, providing for fines and penalties for violations of this Act and judicial review of the Acts of said commission. Referred to Committee on Aviation.

S. B. No. 172, by Ruffcorn: A Bill for an Act Entitled: "An Act relating to the granting of stays of proceedings in actions instituted in the district courts for the foreclosure of mortgages on real estate." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Metlen: Move that House Bill No. 183 be taken from General Orders and re-referred to the Committee on State Lands. Seconded. Carried.

Porter: Move that House Bills Nos. 122 and 135 be taken from General Orders and re-referred to the Committee on Horticulture. Seconded. Carried.

Byrne: Move that Substitute House Bill No. 25 be taken from General Orders and re-referred to the Committee on Revenue and Taxation. Seconded. Carried.

Mason: Move that House Bill 176 be passed for the day. Seconded. Carried.

THIRD READING SENATE BILLS

Without objection bills on third reading were read by title, history and section number only.

Senate Bill No. 76, introduced by Kaulbach, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Abrahamson, Blankenbaker, Conner, Cusker, Doran, Duffy, Groene (Fergus), Love, Moss, Mulholland, O'Connell, Parker (Flathead), Daugherty, Shannon, Spangler, Watson (Missoula). Total 6.

The Speaker: Eighty-five have voted "aye", none have voted "no"; Senate Bill No. 76 has been concurred in by the House.

Senate Bill No. 93, by Willis and MacGilvra, having been read the several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Abrahamson, Blankenbaker, Cusker, Daugherty, Doran, Duffy, Groene (Fergus), Knowles, Larsen, Love, Moss, Mulholland, O'Connell, Parker (Flathead), Pierson, Porter, Reardon (Deer Lodge), Shannon, Spangler, Strange, Watson (Missoula). Total 21.

The Speaker: Eighty have voted "aye", none have voted "no"; Senate Bill No. 93 has been concurred in by the House.

Senate Joint Memorial No. 4, introduced by Ekegren, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Abrahamson, Arnold, Ballard, Blankenbaker, Cusker, Daugherty, Doe, Doran, Duffy, Freed, Groene (Fergus), Knowles, Larsen, Manning, Moss, Mulholland, O'Connell, Parker (Flathead), Porter, Shannon, Waite, Watson (Missoula). Total 22.

The Speaker: Seventy-nine have voted "aye", none have voted "no"; Senate Joint Memorial No. 4 has been concurred in by the House.

Senate Joint Memorial No. 7 introduced by Clifford, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Harlen, Harrington, Jensen, Kruse, Logan, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Miles, Mulholland, Nass, Nelstead, Nutting, O'Shea, Pilgeram, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Sullivan, Trenne, Ueland, Waite, Whaley, White, Woodcock, Mr. Speaker. Total 67.

Noes: Findlater, Hagerty, Haight, Hilger, Holecek, Kuhl, Lewis, Lott, Miller (Big Horn), Miller (Lincoln), Ragen, Stevens (Wheatland), Stiefel, Wigal. Total 14.

Absent and not voting: Abrahamson, Arnold, Blankenbaker, Cusker, Doran, Duffy, Freed, Knowles, Larsen, Manning, Metlen, Moss, O'Connell, Parker (Flathead), Pierson, Porter, Reardon (Cascade), Shannon, Watson (Meagher), Watson (Missoula). Total 20.

The Speaker: Sixty-seven have voted "aye", 14 have voted "no"; S. J. M. No. 7 has been concurred in by the House.

THIRD READING OF HOUSE BILLS

House Bill No. 148, introduced by Committee on State Lands, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Lott, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Arnold, Blankenbaker, Cusker, Doran, Duffy, Freed, Groene (Fergus), Harlen, Knowles, Logan, Love, Manning, Moss, O'Connell, Parker (Flathead), Porter, Rognlien, Shannon, Watson (Meagher), Watson (Missoula). Total 20.

The Speaker: Eighty-one have voted "aye", none have voted "no"; H. B. No. 148 has passed the House.

House Bill No. 152, introduced by Committee on Townships and Counties, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Breitenstein, Byrne, Chapman, Daugherty, Doe, Ecton, Fitzstephens, Fowler, Grabow, Green (Dawson), Hagerty, Haight,

Hilger, Holecek, Knowles, Kruse, Kuhl, Lott, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Nas Parker (Broadwater), Pilgeram, Quamme, Ragen, Rognlien, Rolph, Schuster, Setzer, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel Strange, Trenne, Ueland, Watson (Meagher), White, Wigal, Woodcock, Mr. Speaker. Total 57.

Noes: Beadle, Campbell, Conner, Ferry, Freudenstein, Givens, Goodwin, Harrington, Jensen, Larsen, Lewis, Love, McCarvel, Mulholland, O'Shea, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Snidow, Stephens (McCone), Sullivan, Whaley. Total 24.

Absent and not voting: Blankenbaker, Cusker, Doran, Duffy, Findlater, Freed, Groene (Fergus), Harlen, Logan, Metlen, Moss, Nelstead, Nutting, O'Connell, Parker (Flathead), Pierson, Porter, Shannon, Wait, Watson (Missoula). Total 20.

The Speaker: Fifty-seven have voted "aye", 24 have voted "no" H. B. No. 152 has passed the House.

House Bill No. 156, introduced by Committee on Education, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Ecton, Fitzstephens, Fowler, Freudenstein, Goodwin, Green (Dawson), Groene (Fergus), Jensen, Larsen, Logan, Lott, Love, McCarvel, Marshall, McDermott, Miles, Miller (Lincoln), Nass, Nelstead, Nutting, Pilgeram, Rognlien, Roll, Ralston, Rolph, Schuster, Setzer, Snidow, Sparling, Steifel, Ueland, White, Woodcock, Mr. Speaker. Total 45.

Noes: Abrahamson, Acher, Ballard, Conner, Daugherty, Doe, Ferry, Findlater, Grabow, Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, McElwain, Manning, Mason, Metlen, Miller (Big Horn), Mulholland, O'Shea, Parker (Broadwater), Quamme, Rager, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Strange, Sullivan, Trenne, Waite, Watson (Meagher), Whaley, Wigal. Total 43.

Absent and not voting: Blankenbaker, Cusker, Doran, Duffy, Freed, Givens, Moss, O'Connell, Parker (Flathead), Pierson, Porter, Shannon, Watson (Missoula). Total 13.

The Speaker: Forty-five have voted "aye," and 43 have voted "no" H. B. No. 156 has passed the House.

House Bill No. 142, introduced by Metlen, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pilgeram, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Ueland, Waite, Watson (Meagher), Whaley, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Haight, Holecek, Knowles, Trenne. Total 4.

Absent and not voting: Acher, Blankenbaker, Cusker, Duffy, Freed, Moss, O'Connell, Parker (Flathead), Pierson, Porter, Ralston, Shannon, Somerville, Watson (Missoula). Total 14.

The following "passed": Anderson, Nass, Sparling, White. Total 4.

The Speaker: Seventy-nine have voted "aye", 4 have voted "no"; F. B. No. 142 has passed the House.

House Bill No. 172, introduced by Committee on Agriculture, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Eon, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Kise, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nstead, Nutting, O'Shea, Parker (Broadwater), Pilgeram, Quamme, Ralston, Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Sizer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Waite, Watson (Meagher), Waley, White, Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: Abrahamson, Arnold, Balgord, Jensen, Knowles, Miller (Big Horn), Nass, Rearden (Cascade), Shannon. Total 9.

Absent and not voting: Blankenbaker, Cusker, Duffy, Freed, Groene (Irgus), Harrington, Moss, O'Connell, Parker (Flathead), Pierson, Porter, Replogle, Sullivan, Ueland, Watson (Missoula). Total 15.

The following passed their vote: Lott. Total 1.

The Speaker: Seventy-six have voted "aye", 9 have voted "no"; House Bill No. 172 has passed the House.

House Bill No. 146, introduced by Campbell, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Annin, Balgord, Bjorneby, Breitenstein, Campbell, Conner, Doe, Ecton, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Harlen, Harrington, Holecek, Jensen, Kivles, Kruse, Larsen, Logan, Lott, Metlen, Miles, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Setzer, Spangler, Sparling, Steifel, Watson (Meagher), Wte, Wigal. Total 44.

Noes: Abrahamson, Anderson, Arnold, Ballard, Beadle, Besancon, Bye, Chapman, Daugherty, Doran, Ferry, Freed, Groene (Fergus), Hagerty, Haight, Hilger, Kuhl, Lewis, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nestead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Ragen, Rolph, Schuster, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Whaley, Woodcock, Mr. Speaker. Total 47.

Absent and not voting: Blankenbaker, Cusker, Duffy, Manning, Moss, O'Connell, Pierson, Shannon, Sullivan, Watson (Missoula). Total 10.

The Speaker: Forty-seven have voted "aye", 44 have voted "no"; House Bill No. 146 has passed the House.

The Speaker gave notice that he was about to sign Senate Bill No. 6, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 7, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 28, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 77, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 89, and there upon signed the same in the presence of the House.

MOTIONS AND RESOLUTIONS

Somerville: Move that House Bill No. 72 be re-referred to the Committee on Economy. Seconded.

Haight: As a substitute motion, move that it be re-referred to the Committee on Judiciary. Seconded. Carried.

Ballard: Move that House Bill No. 131 be taken from General Order and re-referred to the Committee on Dairying. Seconded. Carried.

Besancon: Move the House now recess until 2:00 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Besancon: Mr. Speaker, the announcement of the vote on House Bill No. 146 seems to have been incorrect.

The Speaker: The clerk will kindly state the result of the vote on H. B. No. 146.

The chief clerk: Forty-four voted "aye", 47 voted "no".

The Speaker: There is no standing rule covering the situation and the Chair is unable to find the situation covered in Robert's Rules, but cites the following from Jefferson's manual:

"ERROR IN ANNOUNCEMENT OF ROLL CALL

Where the Speaker, through an error of the clerk in reporting the Yeas and Nays, announces the vote different from that actually had the status of the question is governed by the vote as recorded and a subsequent announcement of the Speaker of the change of the result is authoritative; or he may entertain a motion for correction of the Journal in accordance with the vote as finally ascertained.

SPEAKER CLARK,

June 28, 1918

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Ruling thereunder, the Speaker will entertain a motion that the Journal be corrected to correspond with the actual fact.

Rognlien: Move the Journal for this morning be corrected to show that on House Bill No. 146 the vote was as follows: Forty-four voted "aye", 47 voted "no"; House Bill No. 146 has failed to pass the House. Seconded. Carried.

Besancon: Move the House now reconsider its action on House Bill 146. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 223, 250, 214, 165, and H. J. M. No. 4, beg leave to report that the same have this date been returned from the printer correctly printed.

SOMERVILLE, Chairman.

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had consideration House Joint Memorial No. 7, relating to Federal Gas Tax, respectfully report and recommend as follows: That House Memorial No. 7 do pass.

BREITENSTEIN, Chairman.

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 222: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 19 of the Session Laws of 1927, Section 2 of Chapter 19 of the Session Laws of 1927, as amended by Chapter 92 of the Session Laws of 1929 and Chapter 6 of the Session Laws of 1931, requiring all persons, co-partnerships, firms, associations, joint stock companies, syndicates, and corporations engaged in or carrying on the business of selling, handling or using gasoline to pay to the State Board of Equalization certain license taxes for engaging in and carrying on such business in this state, defining terms, fixing the amount of such license taxes and providing the method for the assessment and collection thereof; also to repeal Sections 2381, 2382 and 2383 of the Revised Codes of Montana, 1921." Respectfully report and recommend: That H. B. No. 222 be amended by striking out in Section 1, page 2, sub-section (6) of the original bill and following sub-section be substituted:

"(6) The word 'handle' means to produce, refine, manufacture or compound gasoline and use it or sell it in less than railway tank car lots, or to import gasoline into the State of Montana or to purchase gasoline within the State of Montana for sale or for one's own use, upon which the license tax herein imposed has not been paid."

By striking out in Section 1, page 2, sub-section (7) of the original bill and the following sub-section be substituted:

"(7) The word 'dealer' means and includes any person who engages in the business in the State of Montana of producing, refining, manufacturing or compounding gasoline and using it or selling it in less than railway tank car lots, or of importing gasoline into the State of Montana or purchasing gasoline within the State of Montana for sale or for one's own use. Such gasoline, for the purpose of this Act, shall be deemed to be handled by such dealer."

That Section 2, on pages 3 and 4 of the original bill, be entirely stricken. That Section 3 be numbered Section 2 and other Sections accordingly. And with these amendments, that the Bill do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 290: A Bill for an Act Entitled: "An Act to appropriate money from the general fund of the state to compensate J. G. Link, Inc., for services rendered by it to the State of Montana as architect of the dining hall and guards quarters building of the State Prison at Deer Lodge, Montana, and to reimburse it for the cost of a visit made by its agent to San Quentin and Folsom Prisons in California at the instance of the State Board of Examiners."

Respectfully report and recommend as follows: That House Bill No. 290 do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 333: A Bill for an Act Entitled: "An Act making appropriation for and directing payment to the heirs of Paul A. Demanche, deceased, of moneys belonging to such heirs heretofore escheated to the State of Montana, and providing for the determination of heirship."

Respectfully report and recommend as follows: That House Bill No. 333 do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations have had under consideration House Bill No. 334: A Bill for an Act Entitled: "An Act making appropriation for and directing payment to the heirs of Gertrude Foss Malone, deceased, of moneys belonging to such heirs heretofore escheated to the State of Montana, and providing for the determination of heirship."

Respectfully report and recommend as follows: That House Bill No. 334, do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations have had under consideration House Bill No. 291: A Bill for an Act Entitled: "An Act to provide for the appointment of a commission by the Governor of Montana, for the purpose of administering relief funds advanced by the Reconstruction Finance Corporation of the United States, and defining the duties and powers of such commission, and providing an appropriation therefor."

Respectfully report and recommend as follows: That House Bill No. 291 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations have had under consideration House Bill No. 300: A Bill for an Act Entitled: "An Act authorizing J. G. Link; George H. Carsley, A. B. DeKay and Son, Shelley, Wilson and Hugenin, Fred Binkman, McIver, and Cohagen, C. J. Ford and others to file with the State Board of Examiners their respective claims against the State of Montana for compensation for services as architects in drafting and making plans and specifications for Montana State institutional buildings at the special instance and request of the State Board of Examiners and authorizing said State Board of Examiners to hear, audit and determine said claims and making an appropriation to pay any such claims which said State Board of Examiners may approve and allow."

Respectfully report and recommend as follows: That House Bill No. 300 do not pass.

SHANNON, Chairman."

On motion of Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 286: A Bill for an Act Entitled: "An Act appropriating money for the payment of a certain claim made by Pierte Maria Amabile Notti, as consular agent of Italy at Butte, Montana, in reason of certain moneys belonging to Frank Deorro, deceased and paid and delivered to the State Treasurer of the State of Montana as an escheated estate and directing the State Auditor to draw his warrant in settlement of said claim."

Respectfully report and recommend as follows: That House Bill No. 286 do not pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 279: A Bill for an Act Entitled: "An Act to amend Section 9365 of the Revised Codes of Montana, 1921, relating to when and how trial by jury may be waived."

Respectfully report and recommend as follows: That House Bill No. 279 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 232: A Bill for an Act Entitled: "An Act amending Section 9108 of the Revised Codes of Montana 1921, relating to the manner and time of issuing alias summons."

Respectfully report and recommend as follows: That House Bill No. 232 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Highways having had under consideration Senate Bill No. 4: A Bill for an Act Entitled: "An Act to amend Section 1760 of the Revised Codes of Montana of 1921, as amended by Chapter 107 of the laws of 1923, by Chapter 88 of the laws of 1927, and by Chapter 182 of the laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers, and dealers in motor vehicles or automobile accessories."

Respectfully report and recommend as follows: That Senate Bill No. 4 be placed on General Orders without recommendation.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Economy having had under consideration House Bill No. 307: A Bill for an Act Entitled: "An Act relating to the amount which may be paid for certain public printing."

Respectfully report and recommend as follows: That House Bill No. 307 be recommended as do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Economy having had under consideration House Bill No. 306: A Bill for an Act Entitled: "An Act providing that each Legislative Assembly shall fix the compensation of all employees of the House and Senate for that particular session, not to exceed, however, the compensation now allowed by law."

Respectfully report and recommend as follows: That House Bill No. 306 be recommended as, do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 141: A Bill for an Act Entitled: "An Act relating to the wilful permitting of livestock to run at large on any state highway, the right of way of which is fenced; removal of such stock; duty of officials; providing for a penalty for violation."

Respectfully report and recommend that House Bill No. 141 do not pass.

ARNOLD, Chairman."

On motion by Arnold, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 92: A Bill for an Act Entitled: "An Act to amend Section 1, and Section 4, of Chapter 119, of the laws of Montana of 1931, providing for the creation, size, location, boundaries and procedure for the establishment of a horse herd district, from which area, horses are barred from running at large; providing a penalty for horses running at large within said district; providing the per-

son, owner or person in control of such horse or horses shall be liable for all damages sustained thereby; and providing for the impounding and disposition of said horse or horses; and providing for the dissolution of such districts."

Respectfully report and recommend that Senate Bill No. 92 be carried in.

ARNOLD, Chairman."

On motion by Arnold, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Husband, duly seconded and carried, the Senate this day requests the return of House Bill No. 124 for further consideration by the Senate.

Respectfully,

J. F. CONE,
Secretary.

Breitenstein: Move the request of the Senate be granted. Seconded. Carried.

Helena, February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Kane, duly seconded and carried, the Senate this day rejected the report of the Joint Conference Committee selected for consideration of House Amendments to Senate Bill No. 1, and the same Senate members of said Joint Conference Committee were appointed to act with a like committee from the House for further consideration of said amendments, namely, Senators Kelsey, Murphy and Garber.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move a new committee be appointed. Seconded. Carried.

The Speaker thereupon appointed the same committee, namely, Frey, Rolph and Cusker.

MOTIONS AND RESOLUTIONS

Freudenstein: Move that Senate Bill No. 29 be passed for the day. Seconded. Carried.

Besancon: Move that consideration of Senate Bills Nos. 91 and 92, and House Bills Nos. 248 and 262 be passed for the day. Seconded. Carried.

Besancon: Move that House Bill No. 146 be re-referred to the Committee on Fish and Game. Seconded. Carried.

Freed: Move that House Bill No. 295 be taken from the Committee on Education and re-referred to the Committee on Townships and Counties. Seconded. Carried.

Marshall: Proceeding out of order, called the attention of the House to kidnappings recently perpetrated, and to the fact Montana has no adequate law regarding the punishment of kidnapping, and asked for the unanimous consent of the House to introduce a bill, after the fortieth day with regard to that crime. Without objection, request granted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was this day introduced, by unanimous consent after fortieth day, read first and second times and referred to committee:

House Bill No. 335, introduced by Marshall: "A Bill for an Act Entitled: "An Act defining the offense of kidnapping and relating to the trial of same and the punishment therefor and to repeal Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921 in relation to kidnapping." Committee on Judiciary.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole, for the consideration of General Orders, under the rules in effect at the previous sitting. Seconded. Carried.

Haight of Ferguson in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration S. B. No. 21, House Bills Nos. 175, 215, 228, 167, 200, 216, 186, S. A. H. B. No. 9, Senate Bills Nos. 92, 4, 71 and 72, respectfully report and recommend as follows:

That Senate Bill No. 21 be re-referred to Committee on Revenue and Taxation.

That House Bill No. 175, the enacting clause be stricken.

That House Bill No. 215 do pass.

That House Bill No. 228 do pass.

That House Bill No. 167 do pass.

That House Bill No. 200 do pass.

That House Bill No. 216 be re-referred to Committee on Dairying.

That House Bill No. 179 do pass.

That House Bill No. 186 be amended as follows: In Section 1, by striking out in line 5 the word "such" and inserting after the word "funds" the following: "not to exceed in any one month an amount greater than 2 per cent of the amount of money received from the "R. F. C." or any other similar agency for relief," and that as so amended, bill do pass.

That Senate Amendments to House Bill No. 9, be not concurred in and a conference Committee is requested to act upon amendments.

That Senate Bill No. 92 be passed for the day.

That Senate Bill No. 4 be not concurred in.

That Senate Bill No. 71 be concurred in.

That Senate Bill No. 72 be re-referred to Committee on Agriculture.

HAIGHT, Chairman."

Haight: Move the adoption of the report. Seconded.

Nelstead: As a substitute motion, move that Senate Bill No. 4 be segregated from the report, that a roll call be taken, and the "ayes" and "nays" be entered on the Journal. Seconded. Carried.

The roll call resulted in the following vote:

Ayes: Annin, Balgord, Ballard, Byrne, Chapman, Conner. Doe, Eddy, Green (Dawson), Harlen, Knowles, Kruse, Lewis, Lott, Love, McEvain, Manning, Miles, Miller (Big Horn), Miller (Lincoln), Nelstead, Packer (Broadwater), Quamme, Rolph, Setzer, Shannon, Sparling, Stephens, Waite, Watson (Meagher), White. Total 31.

Noes: Abrahamson, Acher, Anderson, Arnold, Beadle, Besancon, Bjorneby, Breitenstein, Campbell, Cusker, Daugherty, Doran, Ecton, Fer, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodv, Grabow, Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holec, Jensen, Kuhl, Larsen, Logan, McCarvel, McDermott, Marshall, Mason, Mlen, Mulholland, Nass, Nutting, O'Shea, Parker (Flathead), Pierson, Igeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Snidow, Somerville, Spangler, Stev (Wheatland), Stiefel, Strange, Trenne, Ueland, Whaley, Wigal, Woodc, Mr. Speaker. Total 65.

Absent and not voting: Blankenbaker, Moss, O'Connell, Sullivan, W. son (Missoula). Total 5.

The Speaker: Thirty-one have voted "aye", 65 have voted "no"; a motion is lost.

The motion by Haight that report of the Committee of the Wh be adopted was then put to vote and carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF THE SAME

The following bill was this day introduced, read first time, and second time at length and referred to Committee:

H. B. No. 336, introduced by Committee on Appropriations. A bill for an Act Entitled: "An Act to appropriate funds for the operation and maintenance of certain of the state's institutions for the period beginning July 1, 1933, and ending June 30, 1935." Committee on Appropriations.

Besancon: Move the House adjourn until 9:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-FOURTH DAY

House of Representatives,
Helena, Montana, February 14, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present, except Blankenbaker, Metlen, Mc, O'Connell, all excused.

Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 41st Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 162 and 3 beg leave to report that the same have this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 198, 199, 96, 95, 103, 137, 157 and 109, and Substitute House Bill No. 59.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 35 and 45.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 8, introduced by Staggs. A Bill for an Act Entitled: "An Act to amend Section 4, of Chapter 160, Session Laws of 1931, relating to the term of bonds of incorporated cities and towns and the interest thereon, providing the procedure relative to the issuance of said bonds and the duty of city and town officers in connection therewith and repealing all Acts and parts of Acts in conflict therewith."

Respectfully report and recommend as follows: That Senate Bill No. 8 be amended as follows: In line 25, page 1, after the word "than", strike out the word "fifteen" and insert in lieu thereof the word "twenty," and also amended the bill be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 263, introduced by Parker of Flathead: A Bill for an Act Entitled: "An Act to amend Section 6198 of the Revised Codes of Montana, 1921, and to authorize and empower mutual rural insurance companies to insure rural school houses and buildings used in connection therewith, community houses, churches and other public places owned by rural communities, and to amend its by-laws so as to authorize such insurance."

Respectfully report and recommend as follows: That House Bill No. 263 do not pass.

BJORNEBY, Chairman."

On motion by Bjerneby, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 311, introduced by Committee on Insurance. A Bill for an Act Entitled: "An Act prohibiting state, county or municipal officers from transacting certain business or entering into certain contracts with city, county, municipal or school districts."

Respectfully report and recommend as follows: That House Bill No. 311 do pass.

BJORNEBY, Chairman."

On motion by Bjerneby, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration, House Bill No. 288: A Bill for an Act Entitled: "An Act to amend Section 9449 Revised Codes of Montana 1921 relating to possession of lands prior to foreclosure and during period of redemption."

Respectfully report and recommend as follows: That House Bill No. 288 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 319 introduced by Committee on Insurance A Bill for an Act Entitled: "An Act to amend Section 6118 of the Revised Codes of Montana of 1921, relating to obtaining of license to transact insurance business all agents providing for filing of application for license and qualification of applicant; the filing of statement of company at time of termination of employment of an agent; providing for the suspension or revocation of licenses and providing for right of appeal from ruling of insurance commissioners."

Respectfully report and recommend as follows: That House Bill No. 319 do pass.

BJORNEBY, Chairman."

On motion by Bjorneby report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 254: A Bill for an Act Entitled: "An Act to amend Sections 8904 and 8906 Revised Codes of Montana 1921, providing the manner of drawing trial jurors in the district court."

Respectfully report and recommend as follows: That House Bill No. 254 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We your Committee on Townships and Counties, having had under consideration House Bill No. 297 introduced by Committee on Townships and Counties: A Bill for an Act Entitled: "An Act to amend Section 1522 of the Revised Codes of Montana of 1921 relating to support of free patients at the Montana State Tuberculosis Sanitarium."

Respectfully report and recommend as follows: That House Bill No. 297 do pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 304, introduced by Byrne: A Bill for an Act Entitled: "An Act to amend Section 29 of Chapter 188 of the Laws of the Twenty-second Legislative Assembly of the State of Montana relating to the redemption of county bonds before maturity."

Respectfully report and recommend as follows: That House Bill No. 304 do pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Substitute Senate Bill No. 9, introduced by Printing Committee: A Bill for an Act Entitled: "An Act to amend Section 293 of the Revised Codes of Montana of 1921 relating to the supervision of public printing by the state purchasing agent, and making the duty of the state purchasing agent to furnish any board of county commissioners of any county of Montana with advise and assistance as to any matters that may arise with reference to the administration of the laws of the state relative to county printing, and to furnish such board with a written analysis of any bid offered for a county printing contract or of any claim filed under a county printing contract and repealing Acts and parts of Acts in conflict herewith."

Respectfully report and recommend as follows: That Substitute Senate Bill No. 9 be concurred in.

BYRNE, Chairman."

On motion by Byrne report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 212, introduced by Bill: A Bill for an Act Entitled: "An Act to regulate and govern the sanitary conditions under which wall paper, kalsomine or other substitute wall covering shall be placed on the walls or ceilings of rooms or halls in hotels, rooming houses or other houses or structures owned or maintained for rental purposes, and to regulate and govern the number of coats of kalsomine, wall paper or other substitute wall covering excepting oil paints that may be affixed and to make a violation of any of the provisions of this Act a misdemeanor, and to repeal Section 2499 of the Revised Codes of Montana of 1921.

Respectfully report and recommend as follows: That House Bill No. 212 do not pass.

DOE, Chairman."

On motion by Doe, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 217, introduced by Committee on Townships and Counties: A Bill for an Act Entitled: "An Act abandoning, abolishing and terminating the organization and political and corporate existence of the counties of Beaverhead, Blaine, Broadwater, Carter, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Liberty, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Toole, Treasure, Valley, Wheatland and Wibaux, and abandoning, abolishing and terminating the terms of office of all legislative, county and township offices therein; providing for the payment of the debts and disposition of the property and assets of the counties so abandoned, abolished and terminated; creating the new counties of Blaine, Custer, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Glacier, Golden Valley, Jefferson, Madison, Meagher, Missoula, Rosebud, Sheridan, Sweet Grass, Toole and Valley counties, and providing for the organization thereof, designating the officers thereof, the judicial districts to which the same shall be attached, and providing for their representation in the legislative assembly of the State of Montana."

Respectfully report and recommend as follows: That House Bill No. 217 do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, a majority of your Committee on Judiciary, having had under consideration House Bill No. 246: A Bill for an Act Entitled: "An Act to amend Section 7726 of the Revised Codes of Montana for 1921, relating to the rate of interest allowed by agreement."

Respectfully report and recommend as follows: That House Bill No. 246 do not pass.

REPLOGLE,
PIERSON,
MILLER,
STEPHENS,
ACHER,
BESANCON,
ECTON,
GRABOW,
GROENE."

"Mr. Speaker: We, a minority of your Committee on Judiciary, having had under consideration House Bill No. 246: A Bill for an Act entitled: "An Act to amend Section 7726 of the Revised Codes of Montana of 1921, relating to the rate of interest allowed by agreement."

Respectfully report and recommend as follows: That House Bill No. 246 do pass.

FREED,
BEADLE."

Groene: Move the Majority Report be adopted. Seconded.

Freed: Move the Minority Report be adopted. Seconded.

Beadle: Move roll call, and that it be entered on the Journal. Seconded.

Besancon: Move, as a substitute motion, that House Bill No. 246 be printed and placed on General Orders. Seconded. Carried.

The Speaker gave notice that he was about to sign House Bill No. 35, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 35, and thereupon signed the same, in the presence of the House.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 19, by Nutting, was this day recommended for concurrence by the Senate Committee on Fish and Game, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the further communications from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to committees:

- H. B. No. 84—Committee on State Boards and Offices.
- H. B. No. 85—Committee on State Boards and Offices.
- H. B. No. 93—Committee on Judiciary.
- H. B. No. 112—Committee on Education.
- H. B. No. 149—Committee on Public Lands.
- H. B. No. 168—Committee on Education.

Respectfully,

J. F. CONE,
Secretary.

February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second time and referred to Committees:

S. B. No. 200, by MacGivra: A Bill for an Act Entitled: "An Act to amend Section 3777 of the Revised Codes of the State of Montana of 1921, as amended by Section 31 of Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, relating to the license for breeding, propagating game birds, game and fur bearing animals." Referred to Committee on Fish and Game.

S. B. No. 201 by MacGillvra: A Bill for an Act Entitled: "An Act to amend sub-section 8 of Section 4465 of the Revised Codes of the State of Montana 1921 as amended by Chapter 100 of the Session Laws of the Twenty-Second Legislative Assembly of 1931, relating to certain duties of board of county commissioners." Referred to Committee on Counties and Towns.

S. B. No. 202, by Wheeler: A Bill for an Act Entitled: "An Act defining the practice of law, regulating the practice thereof, prohibiting the advertising thereof, and providing a penalty for the violation thereof." Referred to Committee on Judiciary.

S. B. No. 203, by Church: A Bill for an Act Entitled: "An Act in relation to arson and the burning of property to defraud an insurer and to repeal Sections 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345, 11346 of the Revised Codes of Montana of 1921." Referred to Committee on Insurance.

Respectfully,

J. F. CONE,
Secretary.

February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senate Standing Committees this day reported as follows:

Committee on Education: That Sub. for H. B. No. 27, by Committee on Education, be concurred in, report adopted.

Committee on Railroads and Transportation: That S. J. M. No. 3 do not pass, report adopted.

Committee on Fish and Game: That S. B. No. 187 do pass, report adopted.

Committee on Fish and Game: That H. B. No. 19 be not concurred in, report adopted.

Committee on State and County Economies: That S. J. R. No. 4 do pass, report adopted.

Committee on Labor and Capital: That S. B. No. 129 be withdrawn from the Committee on Labor and Capital and re-referred to Committee on Judiciary, report adopted.

Committee on Dairies and Dairying: That S. B. No. 161 do pass, report adopted.

Committee on State and County Economies: That S. B. No. 162 do pass, report adopted.

Committee on State and County Economies: That S. B. No. 163 be amended by inserting after the word, "dollars," in line 10 of Section 1 the words: "one clerk at an annual salary of eighteen hundred dollars, and"; and as so amended, recommend said bill do pass, report adopted.

Committee on Stockgrowing and Grazing: That S. B. No. 164 do pass, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 167 be amended in line 16 after the figure, "123", by striking out the portion that line 16 and all of the remainder of that Section 1, and inserting lieu thereof the words: "provided, that such supplementary or amendatory contract does not increase the amount of the principle indebtedness of the district to the United States as it exists at the date of the supplementary or amendatory contract authorized under the provisions of Section Chapter 157, of the Session Laws of Montana 1923." And as so amended, recommend said bill do pass, report adopted.

Committee on Federal Relations: That S. J. M. No. 13 do pass, report adopted.

Committee on Rules: Having had under consideration the adoption of Senate Rules and Joint Rules of the Senate and the House of Representatives of the Twenty-Third Legislative Assembly beg leave to report as follows: Amend Rule XV of the Twenty-Second Legislative Assembly by striking out the following:

"2. Allocation of State Bond Funds—Membership 5."

Further amend Rule XV of the Twenty-Second Legislative Assembly by adding:

"State and County Economies—Membership 9."

And as so amended, recommend that the rules of the Twenty-Second Legislative Assembly be adopted as the permanent rules of the Twenty-Third Legislative Assembly.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 54, be amended in Section 1 by adding after the word "textbooks" in line 7 of the printed bill, the words, "for the elementary grades"; and be further amended in line 8 by removing the period after the word, "commission" and adding the following: "and in case of all high schools only those text-books adopted by the board of trustees for use in the public high schools of that district." And as so amended, recommend said bill do pass, report adopted.

That S. B. No. 103 do not pass.

That S. B. No. 124 do pass.

That S. B. No. 127 do pass.

That S. B. No. 128 be amended in Section 4 by adding the following sentence at the end of said section: "The County Clerk shall be the clerk of said board, and as such shall keep the minutes of all meetings thereof and be custodian of all its records." And as so amended, recommend the further consideration of said S. B. No. 128 be passed for the day.

That S. B. No. 143 do pass.

That S. B. No. 111 be amended by adding to said bill the following sections:

"Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 5. This Act shall be in full force and effect from and after its passage and approval."

And as so amended recommend that said bill do pass.

That the Committee arise and report.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 13, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced read first and second time, and referred to committees:

S. B. No. 173, by Holton: A Bill for an Act Entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Sections 6, 7, 8, 9, 10 and 11 of Article XXI of the constitution of the State of Montana relating to the investment and administration as separate and integral funds of the Montana trust and legacy fund, the public school permanent fund, the other permanent funds originating in land grants from the United States for the support of higher institutions of learning, and other funds." Referred to Committee on Constitutional Amendments.

S. B. No. 174, by Lamp: A Bill for an Act Entitled: "An Act to amend Section 9107 of the Revised Codes of the State of Montana of 1921, relating to summons, how issued, directed, and contents thereof, and providing that one year shall be granted the defendant for appearance, answer or demurrer in the foreclosure of real estate mortgage proceedings wherein the defendant is in actual possession of the property." Referred to Committee on Judiciary.

S. B. No. 175, by Kane: A Bill for an Act Entitled: "An Act to permit the organization of irrigation districts by the owners of water of adjudicated water right streams for the specific purpose of operation, administration and improvement of such streams without the interference with or requisition of the decreed water rights of such streams and conferring on such districts the powers duties and status of a public corporation necessary to carry out the purposes and intent of this Act." Referred to Committee on Irrigation and Water Rights.

S. B. No. 176 by Husband: A Bill for an Act Entitled: "An Act to amend the direct primary law to provide for the nomination of state and national officers by political conventions, except district judges and justices of the supreme court and presidential electors, and amending Sections 633 of the Revised Codes of 1921, 639 of the Revised Codes of 1921, as amended by Chapter 7 of the Laws of 1927, 640 of the Revised Codes of 1921, as amended by Chapter 125 of the Laws of 1927, 654 of the Revised Codes of 1921, 655 of the Revised Codes of 1921, 662 of the Revised Codes of 1921 as amended by Chapter 34 of the Laws of 1929, 663 of the Revised Codes of 1921, as amended by Chapter 159 of the Laws of 1925, and 670 of the Revised Codes of 1921, and repealing Section 653 and 666 of the Revised Codes of 1921." Referred to Committee on Judiciary.

S. B. No. 177, by Eaton: A Bill for an Act Entitled: "An Act relating to the exemption from inheritance taxes of certain bequests or legacies to charitable, educational and other corporations, societies or institutions outside the State of Montana, in such cases as the Laws of the State of Montana or such corporations, societies and institutions grant like exemption to similar corporations, societies or institutions whose domicile is within the State of Montana." Referred to Committee on Taxation.

S. B. No. 178, by Coburn: A Bill for an Act Entitled: "An Act to change the boundary line between the Counties of Glacier and Pondera; taking from said county of Pondera certain territory and adding the same to the said county of Glacier; providing for the appointment of commissioners to adjust indebtedness; providing for the transfer of school funds and delinquent taxes; providing for the transcribing and transfer of records and the transfer of actions pending in court; and providing that township, school, and other officers within the territory so transferred shall hold their offices for the balance of their terms." Referred to Committee on New Counties and Divisions.

S. B. No. 179, by Kemmis, by request: A Bill for an Act Entitled: "An Act relating to the licensing of child-placing agencies; defining terms used in this Act; providing penalties for violations of this Act and repealing all Acts and parts of Acts in conflict herewith." Referred to Committee on Public Morals.

S. B. No. 180 by Kelsey, Holton, Plank, Sparling, Kane, Staggs, Pauline, Eaton, Thien and Angvick: A Bill for an Act Entitled: "An Act to amend Sections 3 and 6 of Initiative Measure No. 28, commonly called the metal mines license tax law, by amplifying the definition and computation of gross value of product as therein defined and other terms of said Section so as to remove any difficulties in the administration of said law and so as to prevent evasion thereof." Referred to Committee on Taxation.

S. B. No. 181, by Kelsey, Sparling, Plank, Kane, Staggs, Pauline, Thien, Eaton, Holton and Angvick: A Bill for an Act Entitled: "An Act to define the powers and duties of the State Board of Equalization with reference to reviewing and enforcing the Laws of Montana relating to the taxation of mines and the imposing of taxes of mines and license taxes on the business of mining, and requiring the said board to review reports under said laws filed since and including the year 1925, and to correct the same where any errors or mistakes have been made and to collect any additional taxes due by reason of such corrections, abolishing all statutes limiting the power of the board on premises as to time and all statutes of limitation or other statutes restraining or impeding the collection of such taxes or the bringing or the prosecution of suits to collect the same." Referred to Committee on Taxation.

S. B. No. 182 by Simmons: A Bill for an Act Entitled: "An Act to amend Section 4462 of the Revised Codes of Montana, 1921, as amended by Chapter 35 of the Twenty-First Legislative Assembly relating to regular meetings and extra sessions of boards of county commissioners." Referred to Committee on Judiciary.

S. B. No. 183, by Page: A Bill for an Act Entitled: "An Act to amend Section 2981 of the Revised Codes of Montana of 1921 as amended by Chapter 177 of the Session Laws of the Twenty-First Legislative Assembly, relating to workmen's compensation and plan two thereof; and to repeal all Acts and parts of Acts in conflict herewith." Referred to Committee on Compensation.

S. B. No. 184, by Simmons: A Bill for an Act Entitled: "An Act to amend Section 4452 of the Revised Codes of Montana, 1921, relating to board of county commissioners and how composed." Referred to Committee on Judiciary.

S. B. No. 185, by Holt: A Bill for an Act Entitled: "An Act to amend Chapter Sixty-seven (67) of the Laws of the Twenty-Second Legislative Assembly, Montana, 1931, relating to the collection of taxes and the time and method of collecting the same, the interest thereon, providing penalties for the delinquency thereof, and the form of notice of such delinquency to be given by providing that special assessments made for special improvements in towns and cities shall be collected by the county treasurer at the same time and in the same manner as general taxes." Referred to Committee on Counties and Towns.

S. B. No. 186, by Holt: A Bill for an Act Entitled: "An Act requiring and authorizing the board of commissioners of an irrigation district to enforce all by-laws, rules and regulations adopted in pursuance of Section 7174 of the Revised Codes of Montana of 1921 as amended by Chapter 157 of the Laws of the Eighteenth Legislative Assembly, relating to the apportionment and distribution of water to the lands of the district and for the protection and preservation of the works and other property of the district, and granting authority to such commissioners for that purpose." Referred to Committee on Irrigation and Water Rights.

S. B. No. 187 by Fish and Game Committee: A Bill for an Act Entitled: "An Act relating to the taking of elk within the State of Montana or any portion thereof, and taking of antelope in Chouteau County, Montana, and the taking of sun fish in Lake County, Montana, relieving damage caused thereby, granting and giving to the State Fish and Game

Commission of the State of Montana authority to make and promulgate rules and regulations for the taking, killing removing or disposing of the same, and providing for the disposal of revenue derived from said rules and regulations, and prescribing the penalties for the violation of this Act." Referred to Committee on Fish and Game.

S. B. No. 188, by Kalberg: A Bill for an Act Entitled: "An Act relative to exemptions from execution in the case of farmers." Referred to Committee on Judiciary.

S. B. No. 189, by Church: A Bill for an Act Entitled: "An Act to amend Section 2831 of the Revised Codes of Montana of 1921, relating to the expenses incurred by the Industrial Accident Board and to the fees paid and from the industrial administrative fund, and providing for an assessment in percentage of payroll of all employers enrolled under the workmen's compensation act of Montana." Referred to Committee on Finance and Claims.

S. B. No. 190, by Clifford, Parkin and Pauline: A Bill for an Act Entitled: "An Act providing for the execution against the body of a defendant or defendants in a civil action when action is founded upon tort and where the defendant or defendants are found to be guilty of malice, fraud, wilful deceit or negligence, consisting of a reckless or wilful disregard of the rights or safety of others, and providing that upon such finding, the court in its discretion may commit the defendant to jail on a writ of execution against the body for a term not to exceed one year or until the judgment is paid." Referred to Committee on Judiciary.

S. B. No. 191, by Holton: A Bill for an Act Entitled: "An Act to amend Section 10485 of the Revised Codes of the State of Montana of 1921, relating to the financial aid of dependent children in cases of conviction of a felony of the father and providing the county that shall pay for said aid in cases wherein the sentence against the father is suspended." Referred to Committee on Judiciary.

S. B. No. 192, by Insurance Committee: A Bill for an Act Entitled: "An Act regulating the organization and operation of mutual death benefit associations; providing rules and regulations for said associations; providing for a license to organize death benefit associations, and fixing the fees thereof, and the placing of mutual death benefit associations under the supervision of the State Commissioner of Insurance, and providing penalties for the violation of the provisions of this Act." Referred to Committee on Insurance.

S. B. No. 193, by Committee on State Boards and Offices: A Bill for an Act Entitled: "An Act to amend Section 3242 of the Revised Codes of Montana of 1921 relating to the issuance of certificates to public accountants." Referred to Committee on State Boards and Offices.

S. B. No. 194, by Kelsey and Wass: A Bill for an Act Entitled: "An Act to repeal Chapter One Hundred Eighty-nine (189) of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, the same being an Act to promote the development of the Montana egg industry; to prohibit the sale of eggs unfit for human food; to prevent deception in the sale of eggs; and to encourage greater consumption thereof by regulating and standardizing the grading, classification and labeling of all eggs displayed for sale; providing penalties for the violation thereof." Referred to Committee on Dairies and Dairying.

S. B. No. 195, by Kilduff: A Bill for an Act Entitled: "An Act to amend Section 9629 of the Revised Codes of Montana in 1921, relating to appearances in justice court." Referred to Committee on Banks and Banking.

S. B. No. 196, by Committee on Insurance: A Bill for an Act Entitled: "An Act to amend Section 6308 of the Revised Codes of Montana, 1921, providing for a non-exemption of fraternal benefit societies from the

general insurance laws of the State of Montana whose contract or policies include non-forfeiture provisions of cash and loan values, paid values and/or extended values." Referred to Committee on Insurance.

S. B. No. 197, by Coburn: A Bill for an Act Entitled: "An Act to amend Chapter 56 of the Nineteenth Legislative Assembly of the State of Montana, relating to the conservation of oil and natural gas." Referred to Committee on Judiciary.

S. B. No. 198, by Donovan and Walker: A Bill for an Act Entitled: "An Act to provide for conventions to ratify proposed amendments to the constitution of the United States." Referred to Committee on Judiciary.

S. B. No. 199, by Simmons: A Bill for an Act Entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267 of the Revised Code of Montana of 1921." Referred to Committee on Judiciary.

S. J. R. No. 4, by Committee on State and County Economies: A Joint Resolution providing for an immediate discharge of all attaches of both houses of the legislature of the Twenty-Third Legislative Assembly of the State of Montana, who are related in certain degrees of consanguinity or affinity to members of either or both houses, and also providing for the immediate discharge of all those persons appointed to state or county positions who are related in certain degrees of consanguinity or affinity to the person so appointing them. Referred to Committee on State and County Economies.

S. J. R. No. 5, by Committee on Federal Relations: A resolution requesting the enactment by Congress of Legislation necessary to bring about the completion of a through seaway via the St. Lawrence river, and requesting the President of the United States to proceed to a treaty with Canada relative thereto. Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Annin: Move that the Sergeant-at-Arms be instructed to compile a list of the employees and attaches of the House of Representatives of the State of Montana, as of date of February 14, 1933, which list will contain the name, kind of work, and county residence of each employee; the full time employees to be segregated from those who work part time, and that such a list be provided each member of this Assembly at the earliest possible moment. Seconded. Carried.

Parker (Flathead): Move to reconsider House Bill No. 263. Seconded. Carried.

Parker (Flathead): Move that House Bill No. 263 be re-referred to Committee on Judiciary. Seconded. Carried.

Pierson: Move that House reconsider its action on House Bill No. 167. Seconded. Defeated.

Doe: Move that House Bill No. 268 be taken from Committee on Public Health and Sanitary Affairs and re-referred to the Committee on Judiciary. Seconded. Carried.

THIRD READING OF SENATE BILLS

Senate Bill No. 71, introduced by Walker, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Bal-lard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Find-

ter, Fitzstephens, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 41.

Noes: Knowles. Total 1.

Absent and not voting: Blankenbaker, Fowler, Givens, Groene (Fergus), Larsen, Metlen, Moss, O'Connell, Pierson, Porter, Rearden (Deer Lodge), Rognlien, Rolph, Shannon, Sullivan, Watson (Meagher). Total 13.

The Speaker: Eighty-four have voted "aye", one has voted "no"; B. No. 71 has been concurred in by the House.

THIRD READING OF HOUSE BILLS

House Bill No. 198, introduced by Watson of Missoula, by request, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Findlater, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Lewis, Logan, Love, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 78.

Noes: Balgord, Byrne, Ecton, Ferry, Fitzstephens, Kuhl, Lott, McCarvel, O'Shea, Sparling. Total 10.

Absent and not voting: Blankenbaker, Fowler, Freed, Haight, Larsen, Metlen, Moss, O'Connell, Pierson, Reardon (Deer Lodge), Rolph, Sullivan, Watson (Meagher). Total 13.

The Speaker: Seventy-eight have voted "aye", 10 have voted "no"; H. B. No. 198 has passed the House.

House Bill No. 199, introduced by Committee on Judiciary, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Holecek, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: Arnold, Hilger, Ragen. Total 3.

Absent and not voting: Blankenbaker, Groene (Fergus), Jenser Knowles, Kruse, Larsen, Metlen, Moss, O'Connell, Parker (Flathead) Reardon (Deer Lodge), Rolph, Sullivan, Watson (Meagher). Total 14.

The Speaker: Eighty-four have voted "aye", 3 have voted "no" H. B. No. 199 has passed the House.

House Bill No. 196, introduced by Roll, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Ballard, Beadle, Bjorneby, Breitenstein, Campbell, Chapman, Conner, Doe, Doran, Findlater, Fitzstephens Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty Haight, Harlen, Harrington, Holecek, Jensen, Logan, McCarvel, McElwain Mason, Mulholland, Nelstead, Nutting, Pierson, Pilgeram, Quamme, Ralston, Reardon (Cascade), Rognlien, Roll, Schuster, Somerville, Sparling Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 51.

Noes: Anderson, Arnold, Balgord, Besancon, Byrne, Cusker, Daugherty, Duffy, Ecton, Ferry, Groene (Fergus), Hilger, Kruse, Kuhl, Lewis Lott, Love, McDermott, Manning, Marshall, Miles, Miller (Big Horn) Miller (Lincoln), O'Shea, Parker (Broadwater), Ragen, Reardon (Deer Lodge), Replogle, Schuster, Shannon, Snidow, Spangler, Trenne, Ueland Waite, White, Woodcock. Total 37.

Absent and not voting: Blankenbaker, Freed., Knowles, Larsen, Metlen, Moss, O'Connell, Parker (Flathead), Porter, Rolph, Sullivan, Watson (Meagher), Nass. Total 13.

The Speaker: Fifty-one have voted "aye," 37 have voted "no"; H. B. No. 196 has passed the House.

House Bill No. 95, introduced by Committee on Public Health and Sanitary Affairs, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Kruse, Kuhl, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Trenne, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 78.

Noes: Hilger, Lewis, Lott, Miles, Quamme, Sparling. Total 6.

Absent and not voting: Anderson, Arnold, Blankenbaker, Fitzstephens, Fowler, Freed, Knowles, Larsen, Metlen, Moss, Nutting, O'Connell, Stiefel, Strange, Sullivan, Ueland, Watson (Meagher). Total 17.

The Speaker: Seventy-eight have voted "aye," 6 have voted "no"; H. B. No. 95 has passed the House.

Sub. House Bill No. 59, introduced by Committee on Judiciary, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Besancon, Bjorneby, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Duffy, Ecton, Givens, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Hilger, Holecek, Kruse, Kuhl, Lewis, Lott, Love, McElwain, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Port-

er, Quamme, Rearden (Cascade), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 64.

Noes: Beadle, Campbell, Doran, Ferry, Findlater, Freudenstein, Goodwin, Hagerty, Jensen, McCarvel, McDermott, Mason, Mulholland, Pilgeram, Ragen, Reardon (Deer Lodge), Replogle, Stephens (McCone). Total 18.

Absent and not voting: Arnold, Blankenbaker, Doe, Fitzstephens, Fowler, Freed, Knowles, Larsen, Logan, Manning, Metlen, Moss, O'Connell, O'Shea, Ralston, Shannon, Stiefel, Sullivan, Watson (Meagher). Total 19.

The Speaker: Sixty-four have voted "aye", 18 have voted "no"; Substitute House Bill No. 59 has passed the House.

House Bill No. 103, introduced by Haight, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: Porter. Total 1.

Absent and not voting: Fitzstephens, Fowler, Knowles, Lott, Mason, Metlen, Moss, O'Connell, Shannon, Sullivan, Watson (Meagher). Total 11.

The Speaker: Eighty-nine have voted "aye", 1 has voted "no"; House Bill No. 103 has passed the House.

House Bill No. 137, introduced by Campbell, having been read three several times, history and title agreed to, was defeated by the following vote:

Ayes: Abrahamson, Bjorneby, Breitenstein, Campbell, Doe, Doran, Ferry, Findlater, Givens, Goodwin, Groene (Fergus), Hilger, Holecek, Larsen, Lott, McCarvel, McDermott, McElwain, Marshall, Mason, Miles, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Setzer, Stiefel, Strange, Watson (Meagher), Watson (Missoula), Wigal. Total 38.

Noes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Byrne, Chapman, Conner, Cusker, Daugherty, Duffy, Ecton, Fitzstephens, Fowler, Freed, Freudenstein, Green (Dawson), Haight, Harlen, Harrington, Knowles, Kruse, Kuhl, Lewis, Logan, Love, Manning, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Quamme, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Trenne, Ueland, Waite, Whaley, White, Woodcock, Mr. Speaker. Total 57.

Absent and not voting: Blankenbaker, Grabow, Metlen, Moss, Shannon, Sullivan. Total 6.

The Speaker: Thirty-eight have voted "aye," 57 have voted "no"; H. B. No. 137 has failed to pass the House.

MOTIONS AND RESOLUTIONS

Haight: Move the House reconsider its action on House Bill No. 137. Seconded. Defeated.

Besancon: Move the remaining bills on Third Reading be passed for this morning. Seconded. Carried.

Besancon: Move the House now recess until 1:30 o'clock this afternoon out of respect for John D. Ryan, whose funeral takes place in New York City this morning. Seconded. Carried.

AFTERNOON SESSION

House resumed at 1:30 o'clock P. M.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 35-45, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:00 A. M., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 231, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 274, a Bill for an Act entitled: "An Act regulating the hours of labor of drivers and attendants of taxicabs, motor busses, and motor trucks in the State of Montana; defining the term "attendant" and fixing penalties for the violation of the provisions of this Act," respectfully report and recommend as follows: That House Bill No. 274 be amended by inserting a new section to be numbered 4 and read as follows: "Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed," and by renumbering Section 4 of the original bill to read "Section 5," and as so amended House Bill No. 274 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 226, a Bill for an Act entitled: "An Act providing for certain notices to be given by county commissioners in event of sale by county of real estate which the county had theretofore acquired by tax deed, and providing for right of redemption by last owners, judgment debtors, mortgagees, or assignees, of record," respectfully report and recommend as follows: That House Bill No. 226 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 181, a Bill for an Act entitled: "An Act authorizing the establishment of liens on monuments and markers; providing for the enforcement of the same and the duties of officers of cemeteries and burial grounds in relation thereto," respectfully report and rec-

mmend as follows: That House Bill No. 181 be amended as follows: Amend Section 2 by inserting after the word "ground" and before the word "and" in line 15, page 2 of the original bill the following words: "within ninety days from date of final judgment," and that when so amended the bill do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 299, a Bill for an Act entitled: An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 2 Article 12 of the Constitution of the State of Montana, relating to revenue and taxation; providing for exemption from taxation of the homestead as defined by law," respectfully report and recommend as follows: That House Bill No. 299 be re-referred to the Committee on Constitutional Amendments.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 331, a Bill for an Act entitled: An Act to provide for the support of the government of Montana for the years 1933 and 1934," respectfully report and recommend as follows: That House Bill No. 331 be re-referred to the Committee on Ways and Means.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 209, a Bill for an Act entitled: "An Act providing for a lien for services in the care of herding of sheep and providing for an attorney fee in an action to enforce said lien," respectfully report and recommend as follows: That House Bill No. 209 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 330, a Bill for an Act entitled: 'An Act to repeal Sections 2382 and 2383 of the Revised Codes of Montana of 1921, both as amended by Chapter 150 of the Laws of 1923 as amended by Chapter 186 of the Laws of 1925 as amended by Initiative Measure No. 31 of the Laws of 1927 as amended by Chapter 92 of the Laws of 1929 as amended by Chapter 6 of the Laws of 1931; and to repeal Sections 2384 and 2389 of the Revised Codes of Montana of 1921, both as amended by Chapter 186 of the Laws of 1925; and to repeal Section 2392 of the Revised Codes of Montana of 1921 as amended by Chapter 150 of the Laws of 1923 as amended by Chapter 186 of the Laws of 1925 as amended by Initiative Measure No. 31 of the Laws of 1927; and to repeal Sections 2381, 2385, 2386, 2387, 2388, 2390, 2391, 2395, and 2396 of the Revised Codes of Montana of 1921; and to repeal Sections 2 and 3 of Chapter 19 of the Laws of 1927 as amended by Chapter 92 of the Laws of 1929 as amended by Chapter 6 of the Laws of 1931; and to repeal Chapter 95 of the Laws of 1931; relating to gasoline distributors and dealers' license tax and the State Highway Treasury Anticipation Debenture Act," respectfully report and recommend as follows: That House Bill No. 330 do not pass.

WOODCOCK, Chairman."

On motion by Woodcock, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 259, introduced by Committee on Fish and Game, a Bill for an Act entitled: "An Act defining the navigable public waters of the state and authorizing anglers to go along such waters for the purpose of fishing therein," respectfully report and recommend as follows: That House Bill No. 259 do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 146, introduced by Campbell, a Bill for an Act entitled: "An Act to amend Section 3717 of the Revised Codes of Montana of 1921, as amended by Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly, prohibiting the use or possession of explosives or poison for the purpose of killing fish; declaring same a misdemeanor and fixing the penalty therefor," respectfully report and recommend as follows: That House Bill No. 146 be amended as follows: By striking out the last sentence of Section 1, and as so amended, do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 260, introduced by Annin, a Bill for an Act entitled: "An Act prohibiting the transporting or shipping of game by aeroplane and providing penalties for the violation of this Act," respectfully report and recommend as follows: That House Bill No. 260 do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 44, a Bill for an Act entitled: "An Act to amend Section 12288 of the Revised Codes of Montana, 1921, relating to the appointment, salary and duties of probation officers," respectfully report and recommend as follows: That Senate Bill No. 44 be amended as follows:

That Section 1 be amended by striking out the period following the word "Enumerated" in line 31, page 1 of the original bill, and in line 14, page 1 of the printed bill, and adding the following: "without additional compensation";

That Section 1 be further amended by striking out all of lines 21, 22, 23, 24, 25, 26 and 27 on page 2 of the original bill, and lines 29, 30, 31, 32 and that part of line 35 up to and including the word "that" on page 2 of the printed bill. And that when so amended the bill be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration House Bill No. 244, a Bill for an Act entitled: "An Act to authorize boards of county commissioners in this state to purchase, acquire, establish and maintain gasoline tanks and stations; to purchase gasoline, oil and lubricants for the use of their several counties and to purchase and sell at retail to the public generally gasoline, oil and lubricants," respectfully report and recommend as follows: That House Bill No. 244 be amended to read as follows:

In line 29, after the word "business," insert the following:

"All gasoline, oil and lubricants must be sold for cash," then placed on General Orders without recommendation.

WOODCOCK, Chairman."

On motion by Woodcock, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 158, a Bill for an Act entitled: "An Act to amend Section 2110, Montana Revised Codes 1921, providing for disposition of proceeds of taxes collected under the provisions of Chapter 165, Montana Revised Codes 1921," respectfully report and recommend as follows: That House Bill No. 158 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 329, a Bill for an Act entitled: "An Act to amend Section 2761 of the Revised Codes of Montana, 1921, relating to tax levy and expenditure of funds," respectfully report and recommend as follows: That House Bill No. 329 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 269, a Bill for an Act entitled: "An Act to amend Chapter 100 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana of 1929, relating to tax deeds, providing the method and procedure to be followed in applying for the tax deed and for the issuing thereof by the county treasurer; the redemption of said lands from the tax sale; the form of deed to be issued and the title conveyed thereby," respectfully report and recommend as follows: That House Bill No. 269 be re-referred to the Judiciary Committee.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute Senate Bill No. 20, a Bill for an Act entitled: "An Act providing for time within which redemption may be made from tax sale of property sold to counties, and permitting payment of taxes determined subsequent to the year of sale, and amending Section 2233, Montana Revised Codes, 1921," respectfully report and recommend as follows: That Sub. Senate Bill No. 20 be not concurred in.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 38, a Bill for an Act entitled: "An Act providing for a basis of imposition of taxes on agricultural land, grazing land and timber land, with improvements thereon, and amending all Acts and parts of Acts in conflict herewith," respectfully report and recommend that House Bill No. 38 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 49, a Bill for an Act entitled: "An Act providing for the classification and basis upon which taxes shall

be imposed upon all irrigated land, non-irrigated farm land, all grazing land, all city and town lots together with the improvements thereon (except improvements used for business or industrial purposes)," respectfully report and recommend as follows: That House Bill No. 49 do not pass.

ROGNLIEN, Chairman."

Rognlien: Move the report be adopted. Seconded.

Lewis: As a substitute, move the bill be printed and placed on General Orders. Seconded.

A roll call was requested, and upon roll call, the vote was as follows:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadl, Besancon, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cuske, Daugherty, Duffy, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freuderstein, Givens, Goodwin, Green (Dawson), Haight, Harlen, Harrington, Higer, Holecek, Knowles, Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Miles, Miller (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quanme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Roll, Rolph, Schuster, Setzer, Snidow, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 77.

Noes: Arnold, Bjorneby, Breitenstein, Doe, Doran, Findlater, Grabow, Groene (Fergus), Hagerty, Larsen, Logan, Metlen, Miller (Lincoln), Replogle, Rognlien, Shannon, Somerville, Spangler, Watson (Meagher). Total 19.

Absent and not voting: Jensen, McElwain, Moss, O'Connell, Sullivan. Total 5.

The Speaker: Seventy-seven have voted "aye," 19 have voted "no." The substitute motion is carried.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 106, a Bill for an Act entitled "An Act to repeal Section 1999 of the Revised Codes of Montana of 1921 and to amend Section 2000 of the Revised Codes of Montana of 1921 relative to the classification of property for taxation and the value for the basis for imposition of taxes," respectfully report as follows: That House Bill No. 106 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 249, a Bill for an Act entitled: "An Act to amend Section 6112 of the Revised Codes of Montana, 1921, regarding the license fees to be paid by insurance corporations, associations and societies," respectfully report and recommend as follows: That House Bill No. 249 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 154, a Bill for an Act entitled: "An Act requiring every person, firm, or corporation engaged in the business of printing and publishing a newspaper within this state to pay an annual license; and providing for the distribution of the fund created by such license fees," respectfully report and recommend as follows: That House Bill No. 154 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 192: A Bill for an Act Entitled: "An Act requiring all persons, co-partnerships, corporations, firms, associations, and others engaging in or carrying on for hire within the State of Montana the business of operating line shafts, head gears, and drop hangers, for operating sheep shearing machines or clippers, which said line shafts, head gears and drop hangers are brought into the state for temporary use therein, to pay to the State Treasurer of the State of Montana license tax for engaging in or carrying on such business, fixing the amount of such license tax, and providing penalties for the violation of his Act."

Respectfully report and recommend as follows: That House Bill No. 192 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: "We, your Committee on Revenue and Taxation having had under consideration House Bill No. 289: A Bill for an Act Entitled: "An Act to repeal Section 2323 of the Revised Codes of Montana, 1921, as amended by Chapter 74 of the Session Laws of the Twenty-Second Legislative Assembly, and to repeal Sections 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325 and 2326 of the Revised Codes of Montana, 1921, relating to coal mines license tax."

Respectfully report and recommend as follows: That House Bill No. 289 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 187: A Bill for an Act Entitled: "An Act to amend Chapter Twenty-one (21), enacted by the Twenty-Second Legislative Assembly of the State of Montana Entitled: "An Act providing for a basis of imposition of taxes on agricultural products in storage, or held on the farm, and amending all Acts and parts of Acts in conflict herewith" and to include livestock on feed within the terms thereof.

Respectfully reported as follows: That House Bill No. 187 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 195: A Bill for an Act Entitled: "An Act to exempt homesteads from taxation."

Respectfully report and recommend as follows: That House Bill No. 195 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 281: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 96 of the Laws of the Eighteenth Legislative Assembly of the State of Montana as amended by Chapter 79 of the Laws of the Twenty-first Legislative Assembly of the State of Montana and as further amended by Section 1 of Chapter 67 of the Laws of the Twenty-Second Legislative Assembly of the State of Montana and Section 2169 of the Revised Codes of Montana, 1921, as amended by Section 2 of Chapter 96 of the Eighteenth Legislative Assembly of the State of Montana, and as further amended by Section 2 of Chapter 67 of the

Laws of the Twenty-second Legislative Assembly of the State of Montana, relating to the collection of taxes and the time and method of collecting the same, the interest thereon and providing penalties for the delinquency thereof, and the form of notice of such delinquency."

Respectfully report and recommend as follows: That House Bill 1, 281 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 3: A Bill for an Act Entitled: "An Act to permit real property to be redeemed from tax sale by paying the original tax, if the taxes be paid by November 30th, 1934, and extending the time of taking tax deed to November 30th, 1934."

Respectfully report as follows: That Senate Bill No. 3 be not carried in.

ROGNLIEN, Chairman."

Rognlien: Move the report be adopted. Seconded.

Ueland: As a substitute motion, move that S. B. No. 3 be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Military Affairs having had under consideration House Joint Memorial Bill No. 5, introduced by N. J.stead: Memorial to the Congress of the United States opposing repeal of provisions for care of disabled veterans of the World War.

Respectfully report and recommend as follows: That House Joint Memorial No. 5 do pass.

REPLOGLE, Chairman."

On motion by Replogle, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights having had under consideration House Joint Memorial No. 6: A Memorial to the Congress of the United States of America requesting enactment of U. S. Senate Bills Nos. 5417 and 5471 relating to suspension of payments and loans to the reclamation funds of irrigation projects.

Respectfully report and recommend as follows: That House Joint Memorial No. 6 do pass.

NUTTING, Chairman."

On motion by Nutting, report adopted.

"Mr. Speaker: We, your Committee on Military Affairs having had under consideration House Joint Resolution No. 5, introduced by Replogle, Holecek, White and Pilgeram, respectfully report and recommend as follows: That House Joint Resolution No. 5 do pass.

REPLOGLE, Chairman."

On motion by Replogle, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights having had under consideration Senate Bill No. 78: A Bill for an Act Entitled: "An Act to amend Section 6, of Chapter 89, of the Montana Session Laws of 1925, relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to purchase land sold for delinquent taxes; to purchase and take assignment of certificate of tax sale to said land; to take title to land so sold for taxes and to purchase such lands in the county when tax deed therefor have issued to

the county; and to manage, operate, lease, sell and dispose of the same for the use and benefit of the district on such terms as may seem for the best interest of such district; to commence, maintain, and prosecute suits to quiet title as to the land so purchased."

Respectfully report and recommend as follows: That Senate Bill No. 78 be concurred in.

NUTTING, Chairman."

On motion by Nutting, report adopted.

"Mr. Speaker: We, your Committee on Public Safety having had under consideration House Bill No. 145, introduced by Highways Committee. Bill for an Act Entitled: "An Act relating to traffic regulations; providing for lights or reflectors on all vehicles, machinery and mechanical contrivances upon state highways and for warning signals at the extreme rear end of loads extending three feet or more beyond the rear of body of such vehicles; and providing penalties for the violation of this Act."

Respectfully report and recommend as follows: That House Bill No. 145, be amended as follows: In the title of the bill the words "vehicles, machinery and mechanical contrivances" be stricken and that in lieu thereof the words "trucks, trailers and automobiles be inserted."

In the first line of Section 1 being line 13 of the original bill strike out all of the first line of said line following the words Section one and words "mechanical contrivances" in line 2 of said Section being line 14 of the original bill and insert in lieu thereof the words "trucks, trailers, and automobiles."

In the first line of Section 2 being line number 20 of the original bill the word "vehicle" be stricken and in lieu thereof the words "trucks, trailers and automobiles" be inserted. And as so amended, do pass.

PIERSON, Chairman."

On motion by Pierson, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee, appointed to consider House amendments to Senate Bill No. 1.

Respectfully,

J. F. CONE,
Secretary.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your Conference Committee, having had under consideration House amendment to Senate Bill No. 1, hereby respectfully report as follows:

That Section 1 be amended as follows: In the printed bill, as reprinted by the House, strike out after the word "Montana" in line seven, the comma and insert a period therefor, and strike out the remainder of said line and all of lines 8 and 9 and up to and including the word "necessary" in line 10 and insert in lieu thereof the following:

"The said board shall also appoint such other executive or administrative officers, agents and employees for said University of Montana as they may deem necessary at salaries not to exceed Four Thousand Dollars (\$4,000.00) per annum in any one instance."

And that the House amendments to said Senate Bill No. 1 as amended be concurred in.

KELSEY,
GARBER,
MURPHY,
CUSKER,
ROLPH,
FREED."

A roll call was ordered and the report of the Conference Committee was adopted by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Bead, Besancon, Blankenbaker, Bjorneby, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Harty, Haight, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kullarsen, Lewis, Logan, Lott, McCarvel, McDermott, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nestead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (DeLodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Sredow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Whealand), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: Breitenstein, Duffy, Ecton, Fitzstephens, Love, Stiefel. Total 6.

Absent and not voting: Abrahamson, Holecek, McElwain, Metlemoss, O'Connell, Pierson, Sullivan. Total 8.

The Speaker: Eighty-seven have voted "aye", 6 have voted "no", the report of the Conference Committee has been adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were introduced, read first and second time and referred to committees:

S. J. R. No. 3, introduced by Duncan. A Resolution Memorializing Congress of the United States to enact House Joint Resolution 191 commemorating the one hundred and fiftieth anniversary of the naturalization as an American citizens in 1783 of Brigadier General Thaddeus Kosciuszko, a hero of the revolutionary war by issuing special series of postage stamps in honor of Brigadier General Thaddeus Kosciuszko. Committee on Federal Relations.

S. J. M. No. 10, introduced by Husband. A Memorial to the Congress of the United States, urging continuance of established highway federal aid and action upon pending highway authorizations. Committee on Highways.

S. B. No. 41, introduced by Corwin. A Bill for an Act Entitled: "An Act to amend Section 3574 of the Revised Codes of Montana of 1921, as amended by Section 1 Chapter 41 of the Session Laws of the Eighteenth Legislative Assembly of Montana as amended by Section 1, Chapter 15 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana; to amend Section 3579 of the Revised Codes of Montana of 1921, as amended by Chapter 154 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana; to amend Section 3588 of the Revised Codes of Montana of 1921, as amended by Chapter 41 of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana as amended by Chapter 174 of the Session Law

f the Nineteenth Legislative Assembly of the State of Montana as amended by Chapter 154 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, relating to a public warehouse, the regulation of charges of public warehousemen, and the delivery of grain to the holder of a receipt therefor and instructions to warehousemen. Committee on Agriculture.

S. B. No. 75, introduced by Husband, Kelsey and Burr. A Bill for an Act Entitled: "An Act to amend Sections two (2), twelve (12), thirteen (13), seventeen (17), nineteen (19), and twenty (20), of Chapter one hundred nine (109) of the Session Laws of the Twenty-second Legislative Assembly of Montana, and the enactment of an additional Section thereto, to be known as Section twenty-four (24) of said Act, the same being an act providing for the adoption of the managerial form of county government." Committee on Townships and Counties.

S. B. No. 99, introduced by Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 3 of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to the qualification and compensation of the State Board of Equalization." Committee on Economy.

S. B. No. 105, introduced by Committee on Agriculture. A Bill for an Act Entitled: "An Act to amend Section 6433 of the Revised Codes of the State of Montana of 1921, relating to the powers invested in any organization created under the co-operative marketing act, and providing for the handling of products of non-members." Committee on Agriculture.

S. B. No. 106, introduced by Committee on Agriculture. A Bill for an Act Entitled: "An Act to amend Section 2296 of the Revised Codes of the State of Montana of 1926, relating to the corporation license tax and the organizations not liable for said tax, and providing for an exemption for co-operative associations, organized for the purpose of purchasing supplies and equipment for the use of members or other persons, and further providing for corporations organized by an association for the purpose of financing the ordinary crop operations of the members or other producers and operators in conjunction with such association." Committee on Agriculture.

S. B. No. 110 introduced by Committee on Irrigation. A Bill for an Act Entitled: "An Act to provide for the dissolution of irrigation districts; sale of assets and payment of indebtedness." Committee on Irrigation.

S. B. No. 115, introduced by Simmons. A Bill for an Act Entitled: "An Act to amend Section 5792 of the Revised Codes of Montana, 1921, relating to separate property of wife." Committee on Judiciary.

S. B. No. 116, introduced by Pauline and Donovan: A Bill for an Act Entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana relating to the regulation and sale of fuel oil and other petroleum products by adding after Section seven (7) thereof, a new Section to be known as Section 7-B, providing grades and specifications for domestic and industrial fuel oils kept, offered or exposed for sale in the State of Montana for heating and industrial purposes." Committee on Petroleum, Oil and Gas.

S. B. No. 118, introduced by MacGillvra. A Bill for an Act Entitled: "An Act to amend Section 4980 of the Revised Codes of the State of Montana of 1921, relating to the making and recording of plats or additions of cities and towns." Committee on Affairs of Cities.

S. B. No. 120, introduced by Committee on Insurance by request of Insurance Department of the State of Montana. A Bill for an Act Entitled: "An Act to make a misdemeanor the issuing or circulating of illustrations, circulars, statements or memoranda of any sort by officers, directors,

representatives or agents of insurance companies or societies doing business in the State of Montana, or by any other persons by which the terms, benefits or advantages of any policy issued by such companies or an certificate of membership issued by any such society, or the making of any misleading estimate of the dividends or share of surplus to be received upon such policies or certificates or using any name or title to an policy, or class of policies, or certificates of membership, or class of such certificate, or making or issuing any written or oral statements misrepresenting or making incomplete comparisons or attempting to induce any person to lapse, forfeit or surrender any policy or insurance or certificate of membership or allow it to lapse for the purpose of replacing such policy or contract of insurance with another; also providing for the revocation by the Commissioner of Insurance of the certificate of authority issued to any corporation, society or agent for violation of any of the provisions of this Act; also repealing Section No. 6290 of the Revised Code of Montana and all Acts or parts of Acts in conflict herewith." Committee on Insurance.

S. B. No. 126, introduced by Ekegren, Kilduff and Thien. A Bill for an Act Entitled: "An Act providing for the sale, leasing, exchanging and for quieting title to lands acquired by any county by tax deed." Committee on Townships and Counties.

THIRD READING OF HOUSE BILLS

House Bill No. 157 introduced by Committee on Economy, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty, Haight, Hilger, Holecek, Jensen, Knowles, Kuhl, Logan, Love, McCarvel, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 78.

Noes: Abrahamson, Duffy, Goodwin, Groene (Fergus), Harrington, Larson, Lewis, McDermott, O'Connell, Reardon (Deer Lodge), Waite. Total 11.

Absent and not voting: Ballard, Fowler, Freed, Harlen, Kruse, Lott, McElwain, Moss, Pierson, Rolph, Shannon, Sullivan. Total 12.

The Speaker: Seventy-eight have voted "aye", 11 have voted "no". House Bill No. 157 has passed the House.

House Bill No. 109, introduced by Roll, having been read three several times, history and title agreed to, was defeated by the following vote:

Ayes: Anderson, Annin, Bjerneby, Campbell, Chapman, Conner, Doe, Findlater, Goodwin, Groene (Fergus), Haight, Harrington, Jensen, Larsen, Lewis, Logan, Metlen, Miller (Lincoln), Nelstead, Parker (Flathead), Porter, Rognlien, Roll, Rolph, Waite, Wigal. Total 26.

Noes: Abrahamson, Acher, Beadle, Besancon, Blankenbaker, Byrne, Cusker, Daugherty, Duffy, Ecton, Freudenstein, Givens, Grabow, Green (Dawson), Harlen, Hilger, Holecek, Knowles, Love, McCarvel, McDermott, Manning, Marshall, Miles, Miller (Big Horn), Mulholland, Nass, Nutting.

Connell, O'Shea, Parker (Broadwater), Pilgeram, Quamme, Ragen, Replogle, Schuster, Shannon, Snidow, Somerville, Sparling, Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Whaley, White, Woodcock, Mr. Speaker. Total 49.

Absent and not voting: Arnold, Balgord, Ballard, Breitenstein, Doran, Ferry, Fitzstephens, Fowler, Freed, Kruse, Lott, McElwain, Mason, Moss, Pierson, Setzer, Sullivan. Total 17.

The following passed their vote: Hagerty, Kuhl, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Spangler, Stephens (McCone), Stephens (Wheatland), Watson (Missoula). Total 9.

The Speaker: Twenty-six have voted "aye", 49 have voted "no"; House Bill No. 109 has failed to pass the House.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate this day, on motion of Senator Husband, granted the request of the House for a Conference Committee to act with a like committee from the House for consideration of Senate Amendments to H. B. No. 9; thereupon the President this day appointed the following Senators to act as such Conference Committee:

Senators Kaulbach, Thien, Clifford.

Respectfully,

J. F. CONE,
Secretary.

The Speaker thereupon appointed the following members to act on such Conference Committee: Freed of Petroleum, Replogle of Fergus, Strange of Ravalli.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules in effect at the previous sitting. Seconded. Carried.

Beadle of Silver Bow in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 176, S. B. No. 29, S. B. No. 91.

Respectfully report and recommend as follows:

That H. B. No. 176 do pass.

That S. B. No. 29 be amended as follows: Section one, by striking out in line 16, the words and figures "three dollars (\$3.00) per day, and inserting in lieu thereof the words and figures "four dollars (\$4.00) per day," and as so amended, be concurred in.

That S. B. No. 91 be not concurred in.

BEADLE, Chairman."

Beadle: Move the adoption of the report. Seconded.

Haight: As substitute motion, move that S. B. No. 91 be segregated from the report of the Committee of the Whole and a roll call be had and the Journal so show.

O'Connell: Request call of the House.

Further call of the House was dispensed with.

Thereupon Roll Call was had upon motion by Haight, to segregate S. B. No. 91.

Ayes: Acher, Anderson, Annin, Arnold, Besancon, Bjorneby, Chaman, Conner, Daugherty, Fowler, Freed, Givens, Goodwin, Green (Dason), Haight, Harlen, Hilger, Holecek, Knowles, Kruse, Kuhl, Lev, Logan, Lott, Marshall, Miles, Miller (Big Horn), Nass, Nelstead, Nutt, O'Shea, Parker (Flathead), Quamme, Ragen, Roll, Rolph, Schuster, Sizer, Shannon, Sparling, Stevens (Wheatland), Strange, Trenne, Uela, Waite, Watson (Meagher), Watson (Missoula), Woodcock, Mr. Speaker. Total 50.

Noes: Abrahamson, Balgord, Ballard, Beadle, Breitenstein, Byr, Campbell, Cusker, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzphens, Freudenstein, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Larsen, Love, McCarvel, McDermott, McElwain, Manning, MasMetlen, Miller (Lincoln), Mulholland, O'Connell, Parker (Broadwater), Pierson, Pilgeram, Porter, Ralston, Rearden (Cascade), Reardon (DeLodge), Rognlien, Snidow, Somerville, Spangler, Stevens (McCone), Stfel, Whaley, White, Wigal. Total 48.

Absent and not voting: Moss, Replogle, Sullivan. Total 3.

The Speaker: Fifty have voted "aye", 48 have voted "no", the motion to segregate S. B. No. 91 from the report is carried.

On motion by Beadle, report adopted as amended.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred H. B. Nos. H. J. M. No. 7, H. B. No. 291, H. B. No. 222, H. B. No. 306 and H. B. No. 307, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 164, H. B. No. 188, H. B. No. 194 and H. B. No. 229, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 102: A Bill for an Act Entitled: "An Act amending Section 1204 of the Revised Codes of Montana, 1921, relating to apportionment of common school funds."

Respectfully report and recommend as follows: That House Bill No. 102 be amended as follows: By striking the entire provision, starting in line 25, page 1 and ending in line 7, on page 2 and substituting in lieu thereof the following:

Provided: That the revenue from two mills of Common School levy provided for the support of common schools under the provisions of Section 1202 of this Chapter, shall be administered by the county superintendent, subject to the approval of the State Board of Education, in such manner as to tend to equalize the tax levies necessary in the several districts of the county to carry on a minimum school program, and shall be apportioned to the several districts of the county, under the method set forth in Chapter 119 of the Session Laws of 1927; (or such plan or plans of apportionment as may be formulated by the county superintendent).

ident of each or any of the several counties and approved by the State Board of Education). For this purpose, the County Treasurer shall maintain a fund to be entitled "Equalization Fund" to which he shall transfer one-third of all the revenues accruing under Section 1202 of this Chapter. And as amended House Bill 102 do pass.

FREED, Chairman."

On motion by Freed, report adopted.

Mr. Speaker: "We, your Committee on Highways, having had under consideration House Bill No. 203: A Bill for an Act Entitled: "An Act providing for the payment of compensation for the use of the public highways of the State of Montana by Class "A" motor carriers, Class "B" motor carriers and Class "C" motor carriers and by private motor carriers of property."

Respectfully report and recommend as follows: That House Bill No. 203 be amended as follows:

In the title, line 4, of the original bill, after the word "the" and before the word "highways", strike out the word "public" and insert therein the word "state."

In Section 1, line 16 of the original bill, after the word "assembly" and before a new sentence be inserted as follows: "Provided, however, that this act shall not apply to and no tax shall be collected hereunder for any operation by any carrier within any city or town or within six miles of the limits thereof."

In Section 2, starting with line 29, strike out the entire paragraph and insert in lieu thereof: "the gross weight of each passenger carrying motor vehicle shall be the unloaded weight thereof."

On page 2, line 2, paragraph (c), after the word "the" and before the word "highways," strike out the word "public" and insert therein the word "state".

In line 9, page 2, after the word "pounds" and before the word "per," strike out "1c" and insert therein "3-4c."

In line 10 after the word "pounds" and before the word "per" strike out "1 1-2c" and insert therein "1c."

In line 11 after the word "pounds" and before the word "per" strike out "2c" and insert therein "1 1-2c."

In Section 5, page 3, line 14 and 15 of the original bill after the word "inspectors" in line 14 and before the word "appointed" in line 15 strike out "and patrolmen."

In Section 9, page 5, of the original bill line 25, after the word "clerks" and before the word "inspectors" strike out the "," and insert the word "and" and in line 25 after the word "inspectors" and before the word "as" line 26 strike out "," and "Highways Patrolmen."

And as amended House Bill No. 203 do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 204: A Bill for an Act Entitled: "An Act requiring every "private motor carrier of property" as defined herein to obtain a permit to operate upon any public highway of the State of Montana from the Board of Railroad Commissioners of the State of Montana; providing for the procedure to obtain such a permit and the terms thereof, the therefor and penalties for a violation hereof.

Respectfully report and recommend as follows: That House Bill No. 204 be amended as follows: In Section 2, line 17, after the word "of" and before the word "miles" strike out the word "three" and insert therein the word "six."

In line 21, Section 2, after the word "vehicle" and before the word "and" insert the following: "or the exchange of farmers motor vehicles engaged in harvesting or marketing other than hire." And as amended House Bill No. 204 do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways having had under consideration House Bill No. 205: A Bill for an Act Entitled: "An Act providing for the regulation by the Board of Railroad Commissioners of the State of Montana of the operation and rates of Class "C" motor carriers, as defined by Chapter 184 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana.

Respectfully report and recommend as follows: That House Bill No. 205 do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways having had under consideration House Bill No. 206: A Bill for an Act Entitled: "An Act relating to the age of drivers of motor vehicles operating for profit and providing the number of hours that the operator of such vehicles may remain on duty in any twenty-four hour period, and penalty for violation hereof."

Respectfully reported as follows: That House Bill No. 206 be amended as follows: In Section 3, line 25, after the word "than" and before the word "hours" strike out the word "ten" and insert the word "sixteen" and

In line 29, after the word "duty" and before the word "but" in line 30, strike out "and not on or in a motor vehicle." And as amended House Bill No. 206 do pass.

BREITENSTEIN, Chairman."

COMMUNICATIONS FROM GOVERNOR AND SENATE

Helena, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion of Senator Kane, duly seconded and carried, requests the House for the return of S. B. No. 82, for further consideration by the Senate.

Respectfully,

J. F. CONE,
Secretary.

Haight: Move the request be granted. Seconded. Carried.

MOTIONS AND RESOLUTIONS

Byrne: Move that H. B. 295 be re-referred to Committee on Economic Affairs. Seconded. Carried.

Besancon: Move that S. B. No. 91 be placed back on General Order. Seconded. Carried.

Mr. Speaker: The Chair has ruled that when a report of a Committee has been rejected, the bill remains in the state status that it was in before the report was made.

Besancon: Move the House adjourn until 9:30 o'clock tomorrow morning.
 Seconded. Carried.

D. A. DELLWO,
 Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-FIFTH DAY

House of Representatives,
 Helena, Montana, February 15, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except the following:

Logan, excused; Abrahamson, Sullivan.

Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 43rd Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 215, 228, 190, 200, 179 and 186.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 336, a Bill for an Act Entitled: "An Act to appropriate funds for the operation and maintenance of certain of the state's institutions for the period beginning July 1, 1933, and ending June 30, 1935." Respectfully report and recommend as follows: That House Bill No. 336 do pass."

SHANNON, Chairman."

On motion by Arnold, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 14, 1933.

The Speaker,
 House of Representatives,
 Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. No. 11—An Act making it unlawful to use or attempt to use any anchored snare trap for the purpose of snaring any animal or bird, and providing a penalty for the violation thereof.

H. B. No. 35—An Act to amend Section 4775 of the Revised Codes of Montana for the year 1921, relating to the appointment of undersheriffs.

H. B. No. 45—An Act to provide for the disposition of moneys heretofore or hereafter seized or taken and confiscated in cases of the violation of the gambling laws of the State of Montana.

J. E. ERICKSON, Governor."

MOTIONS AND RESOLUTIONS

Pierson: Move the House now reconsider its action of yesterday on H. B. No. 187 and that it be printed and placed on General Order. Seconded. Carried.

Besancon: Move that S. B. No. 91 and S. B. No. 16 be placed at the foot of General Orders. Seconded. Carried.

Moss: Move that H. B. No. 202 be taken from the Committee on Livestock and Public Ranges and re-referred to Committee on Agriculture. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was this day introduced, read first and second time and referred to Committee:

S. B. No. 154, introduced by Galt, Willis, Larson, Campbell, Clifford and Kaulbach: A Bill for an Act Entitled: "An Act relating to the furnishing of free text-books to pupils attending schools, public or otherwise including high schools, within the State of Montana, and amending Section 1198, Revised Codes of Montana of 1921." Committee on Education.

H. B. No. 337, introduced by Committee on Appropriations: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance, and other purposes, as designated herein, for certain state departments, boards, bureaus and commissions for the period beginning July 1, 1933, and ending June 30, 1935." Committee on Appropriations.

MOTIONS AND RESOLUTIONS

Besancon: Move that unless otherwise requested, action on Senate Bills on General Orders or Third Reading be deferred until Tuesday morning, February 21st. Seconded. Carried.

THIRD READING OF HOUSE BILLS

House Bill No. 215, introduced by Committee on Dairying, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Arnold, Ballard, Beadle, Besancon, Bjornby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cuske, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephen, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Krus, Kuhl, Lewis, Lott, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Spangler, Sparling, Stephens (McCone), Stiefel, Sullivan, Trenne, Ueland, Watson (Meagher), Whaley, White, Woodcock, Wood Speaker. Total 82.

Noes: Balgord. Total 1.

Absent and not voting: Abrahamson, Annin, Byrne, Freed, Freudenstein, Jensen, Larsen, Logan, Love, Manning, Replogle, Roll, Somerville, Stevens (Wheatland), Strange, Waite, Watson (Missoula), Wigal. Total 1.

The Speaker: Eighty-two have voted "aye", 1 has voted "no", House Bill No. 215 has passed the House.

House Bill No. 228, introduced by Committee on Judiciary, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Bjerneby, Enkenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Lugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Fred Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Irker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rardon (Deer Lodge), Rolph, Schuster, Setzer, Snidow, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Sullivan, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Abrahamson, Annin, Besancon, Freudenstein, Jensen, Knowles, Larsen, Logan, Rearden (Cascade), Replogle, Rognlien, Hill, Shannon, Somerville, Stevens (Wheatland), Trenne, Waite. Total 17.

The Speaker: Eighty-four have voted "aye", none have voted "no", House Bill No. 228 has passed the House.

House Bill No. 167, introduced by Anderson and Ueland, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Bjerneby, Chapman, Conner, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Givens, Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Knowles, Kruse, Lewis, Lott, Love, McElwain, Manning, Marshall, Metlen, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, Parker (Flathead), Pilgeram, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Setzer, Spangler, Sparling, Stiefel, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 84.

Noes: Blankenbaker, Breitenstein, Byrne, Campbell, Cusker, Daugherty, Doe, Grawow, Groene (Fergus), Kuhl, McCarvel, McDermott, Miles, Miller (Big Horn), Nutting, O'Shea, Parker (Broadwater), Pierson, Porter, Rearden (Cascade), Snidow, Stephens (McCone), Strange, Woodcock. Total 17.

Absent and not voting: Abrahamson, Annin, Besancon, Fitzstephens, Freed, Holecek, Jensen, Larsen, Logan, Mason, Replogle, Roll, Shannon, Somerville, Stevens (Wheatland), Watson (Meagher), Waite, Sullivan. Total 18.

The following passed their vote: Freudenstein. Total 1.

The Speaker: Fifty-eight have voted "aye", 24 have voted "no", House Bill No. 167 has passed the House.

House Bill No. 200, introduced by Grabow, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Beadle, Bjorneby, Blankbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Reardon, Replogle, Setzer, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 77.

Noes: Conner, Hilger, Goodwin, Love, Nass, Parker (Flathead), Rearden (Cascade), Schuster. Total 8.

Absent and not voting: Abrahamson, Annin, Arnold, Besancon, Holecek, Jensen, Logan, Miles, Reardon (Deer Lodge), Rognlien, Roll, Rolph, Shannon, Somerville, Waite, Watson (Meagher). Total 15.

The Speaker: Seventy-seven have voted "aye", 8 have voted "no". House Bill No. 200 has passed the House.

House Bill No. 179, introduced by Marshall, having been read the several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Besancon, Bjorneby, Blankbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Replogle, Schuster, Setzer, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Abrahamson, Annin, Arnold, Fowler, Groene (Fergus), Holecek, Jensen, Logan, Moss, Parker (Flathead), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Shannon, Somerville, Waite, Watson (Meagher). Total 18.

The following passed their vote: Beadle, Daugherty, O'Shea. Total 3.

The Speaker: Eighty have voted "aye," none have voted "no"; House Bill No. 179 has passed the House.

House Bill No. 186, introduced by Logan, by request, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Besancon, Bjorneby, Blankbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miller (Big Horn), Moss, Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Replogle, Schuster, Setzer, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 66.

Noes: Beadle, Campbell, Duffy, Ecton, Ferry, Freed, Freudenstein, Haight, Harrington, Hilger, Miles, Miller (Lincoln), Mulholland, Reardon (Cascade), Sullivan. Total 15.

Absent and not voting: Abrahamson, Annin, Arnold, Holecsek, Jensen, Lan, Mason, O'Connell, Parker (Flathead), Ragen, Reardon (Deer Lodge), Ronlien, Roll, Rolph, Shannon, Somerville, Strange, Waite, Watson (Meagher). Total 19.

The following passed their vote: Grabow. Total 1.

The Speaker: Sixty-six have voted "aye," 15 have voted "no," House Bill No. 186 has passed the House.

The Speaker gave notice that he was about to sign Senate Bill No. 93, thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 76, thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Joint Memorial No. 7, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Joint Memorial No. 4, and thereupon signed the same in the presence of the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your committee on Revenue and Taxation having under consideration: House Bill No. 113, by Committee on Revenue and Taxation. A Bill for an Act Entitled: "An Act relating to the sale of cigarettes, and cigarette papers and wrappers and papers used and prepared for the making of cigarettes; providing for issuing licenses for the privilege of engaging in the business of the sale thereof and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof and penalty for violation of this Act and defining the duties of state and county officials."

House Bill No. 325, by Sparling. A Bill for an Act Entitled: "An Act to compose certain license fees and taxes on the sale of cigars, Cheroots, stogies, cigarettes, manufactured tobacco and snuff sold, and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of the above described articles by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties, and to appropriate and apportion the revenues derived from this tax to certain funds of the State of Montana, and repealing other dealer's license fees now exacted in the sale of the aforesaid commodities, and further repealing all Acts and parts of Acts in conflict herewith."

Respectfully report as follows that House Bills 113 and 325 do not pass, but that Substitute House Bill No. 113: A Bill for an Act Entitled: "An Act relating to the sale of cigarettes, and cigarette papers and wrappers and papers used and prepared for the making of cigarettes at imposing taxes thereon, and the levy, assessment, collection, payment, and distribution of a tax thereon; providing for issuing licenses for the privilege of engaging in the business of the sale thereof and providing for the levy, assessment, collection, payment, and distribution of a tax for the privilege of engaging in such business; providing for the regulation of the sales thereof, the enforcement of such tax and license, and penalty for violation of this Act, and defining the duties of state and county officials." Committee on Revenue and Taxation. Do pass.

On motion by Moss, report adopted.

ROGNLIEN, Chairman."

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 271 introduced by Roll: A Bill for an Act Entitled: "An Act providing for consolidation of school districts; providing for transportation; providing for officers and providing certain districts shall not receive aid from the county or state equalization fund." Respect-

fully report and recommend as follows: That House Bill No. 271 do not pass, but that Substitute House Bill No. 271 by Committee on Education: A Bill for an Act Entitled: "An Act providing for consolidation of school districts; providing for transportation; providing for officers and providing certain districts shall not receive aid from the county or state equalization fund." do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 302, introduced by Committee on Economy: A Bill for an Act Entitled: 'An Act to amend Section 571 of the Revised Codes of Montana of 1921, relating to compensation of county clerks for furnishing poll-books and for other expenses incurred on account of such election.' Respectfully report and recommend as follows: That House Bill No. 302 do pass.

CHAPMAN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 309: A Bill for an Act Entitled: "An Act relating to contracts for state, county, city and all public printing." Respectfully report and recommend as follows: That House Bill No. 309 do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 266, introduced by McDermott: A Bill for an Act Entitled: "An Act to amend Section 5397 of the Revised Codes of Montana of 1921 relating to petitioning for the abandonment of the commission form of government in cities by decreasing the percentage of voters required to petition for abandonment and providing that the last mayoralty election shall be the basis of determining the number of electors for the purpose of the petition." Respectfully report and recommend as follows: That House Bill No. 266 do pass.

CHAPMAN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 94: A Bill for an Act Entitled: "An Act to amend Section 1023, of the Revised Codes of the State of Montana of 1921, as amended by Chapter 18, of the Session Laws of the Eighteenth Legislative Assembly of Montana, 1923, relating to limitations in connection with the creation of school districts or changing the boundaries thereof." Respectfully report and recommend as follows: That Senate Bill No. 94 be concurred in.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 95: A Bill for an Act Entitled: "An Act placing limitations as to the boundaries and valuation of old school districts on the creation of new ones." Respectfully report and recommend as follows: That Senate Bill No. 95 be not concurred in.

FREED Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 258: A Bill for an Act Entitled: "An Act to amend Section 1024 of the Revised Codes of Montana of 1921 as amended by Chapter 138 of the Twentieth Legislative Assembly of Montana relating to the manner of creating new school districts, providing the number of census children and the assessed valuation of the district and the number of census children and the assessed valuation of property remaining in the old district and repealing Section 1024 of the Revised Codes of Montana of 1921."

Respectfully report and recommend as follows: That House Bill No. 258 be amended as follows: By striking out in line 27 of the original bill after the word "lease," the word "fifteen" and insert in lieu thereof the word "ten" and by striking out in line 8, page 2, of the original bill, the words and figures "Forty Thousand Dollars (\$40,000)" and inserting in lieu thereof the words and figures "Seventy-five Thousand Dollars (\$75,000)", and as so amended the bill do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 282: A Bill for an Act Entitled: "An Act to amend Section 1203 Revised Codes of Montana, 1921, as amended by Chapter 145 Session Laws, 1929, relating to special school tax." Respectfully report and recommend as follows:

That H. B. No. 282 do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 284: A Bill for an Act Entitled: "An Act to amend Section 1213 of the Revised Codes of Montana of 1921 as amended by Chapter 144 of the Session Laws of the Twenty-First Legislative Assembly of Montana relating to the duties of county treasurers with respect to school district funds." Respectfully report and recommend as follows: That House Bill No. 284 do pass.

FREED, Chairman."

On motion by Freed, report adopted.

Besancon: Move the House now recess until 1:45 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed, at 1:45 o'clock p. m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 246, 254, 288, 297, 304 311 and 319, beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 240: A Bill for an Act Entitled: "An Act to amend Sections 1, 3 and 6, of Chapter 153 of the Laws of Montana

of 1931, relating to the regulation and licensing the sale of commercial fertilizer, and providing for the inspection of fertilizer materials, and fixing penalties for the violation of the Act." Respectfully report and recommend as follows:

That House Bill No. 240, do pass.

SNIDOW, Chairman."

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 268: A Bill for an Act Entitled: "An Act amending Chapter 25 of Part V of the Revised Codes of Montana, 1921, the addition thereto of one new section to be known as Section 7683 (providing for attorney's fee in actions by the owner, keeper or proprietor of an inn or hotel, restaurant, cafe, eating place, lunch counter, apartment, rooming, lodging, or boarding house, or hospital, against any person, guest, boarder or lodger for food, meal or meals, lodging, entertainment accommodations furnished; prescribing the minimum fee to be allowed by the justice court and by the district court; and when the attorney fee attaches; amending Section 7684, of the Revised Codes of Montana 1921, relating to defrauding the owner, keeper or proprietor of an inn or hotel restaurant, cafe, eating place, lunch counter, apartment, rooming, lodging, or boarding house, or hospital, and fixing the penalty therefor. Respectfully report and recommend as follows:

That H. B. No. No. 268, do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 230, introduced by Bjorneby: A Bill for an Act Entitled: "An Act authorizing and directing the State Board of Examiners to insure public buildings and the contents thereof owned by the State of Montana; providing for the gradual decrease of such insurance and for the gradual accumulation of a state fire insurance fund; providing for the investment, administration, and maintenance of such fund, and the restoration of state buildings and the contents thereof damaged or destroyed by fire from such state insurance fund." Respectfully report and recommend as follows:

That H. B. No. 230 be printed and placed on General Orders.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 283, introduced by Committee on Insurance: A Bill for an Act Entitled: "An Act to amend Section 4026 of the Revised Codes of Montana of 1921 as amended by Section 1 of Chapter 17 of the Laws of 1929, as amended by Section 1 of Chapter 194 of the Laws of 1931; Section 4028 of the Revised Codes of Montana of 1921 as amended by Section 3 of Chapter 179 of the Laws of 1929; Section 4033 of the Revised Codes of Montana of 1921, Section 4036 of the Revised Codes of Montana of 1921; Section 4040 of the Revised Codes of Montana of 1921 as amended by Section 4 of Chapter 179 of the Laws of 1929; Section 4041 of the Revised Codes of Montana of 1921, Section 4044 of the Revised Codes of Montana of 1921, Section 4050 of the Revised Codes of Montana of 1921, as amended by Section 5 of Chapter 179 of the Laws of 1929, defining investment, companies, exempting certain securities from the provisions thereof; providing for the examination of papers and issuance and revocation of permits and suspension of permits pending hearing and right of appeal; providing for the registration of agents and permits to do business and the revocation of such permits; fixing the time a

high annual statements and special reports must be filed with investment commissioner; regulating circulars and advertisements and the use of the name of the investment department or commissioner or misrepresentation in sales promotion; prescribing the fees to be paid by investment companies stock brokers and agents thereof." Respectfully report and recommend as follows:

That H. B. No. 283 do pass.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration Senate Joint Memorial No. 8, introduced by Reed: Memorial memorializing the President and Congress of the United States to support or initiate a movement to stabilize the monetary and credit basis so as to improve world commodity prices, respectfully report and recommend as follows:

That Senate Joint Memorial No. 8, be amended as follows:

"In line 8, page 2, of the typed memorial immediately following the word "depression;" insert the word "and". Strike out, starting at the word "therefore," in line 9, page 2, all the words up to and including the word "others"; in line 7, page 3, and insert in lieu thereof, the following:

"We believe and maintain that International bimetalism should be promptly accomplished if possible; but if not, then the United States as creditor nation of the world and foremost in the interest of mankind and humanity at large should with the aid of as many nations as possible or if necessary alone in the common cause of humanity for their economic betterment proceed with bi-metallism on the ratio of sixteen ounces of silver to one ounce of gold. We believe in sound money, we do not want a cheap dollar but we do maintain that our nation and its people and humanity at large are sorely in need of a sounder money, on a precious metal basis, sufficient in amount and adequately stabilized to meet the needs and requirements of our people at large.

NOW, THEREFORE, BE IT RESOLVED that it is the sense of your memorialists, the members of the Twenty-third Legislative Assembly, that we heartily and unqualifiedly endorse and urge the passage and approval of United States Senate Bill No. 2487, introduced by Honorable Burton Wheeler, for the early, free and unlimited coinage of sixteen ounces of silver to one ounce of gold." And as so amended, recommend the same be concurred in.

McDERMOTT, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 233: A Bill for an Act Entitled: "An Act prohibiting the sale or exchange in the market of goods, wares and merchandise, produced, manufactured or mined by convicts or prisoners under sentence in the state, or, in or by any penal or reformatory institution of the state, or produced, manufactured or mined by convicts or prisoners outside the state or in or by any penal or reformatory institution of the United States or any state or foreign country and transported to this state for use or consumption therein; providing for the sale or exchange of goods, wares and merchandise made in or by any penal or reformatory institution of the state to or with any other penal or reformatory institution or any charitable or custodial institution, the major portion of whose maintenance is contributed by the state or some political subdivision thereof; authorizing the Board of State Prison Commissioners to make rules to govern the conduct of industries in the penal and reformatory institutions of the state, to facilitate the sale and exchange of such goods, wares and

merchandise, and to require the setting up in the penal and reformatory institutions of the state of a cost-accounting system in connection with the manufacture or production of goods, wares and merchandise there; and fixing penalties for a violation of the provisions thereof." Respectfully report and recommend as follows:

That H. B. No. 233 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 133: A Bill for an Act Entitled: "An Act to regulate the payment of wages or compensation of employes in private employment providing a penalty for the violation thereof and authorizing the Commissioner of Agriculture to enforce the provisions of this Act." Respectfully report and recommend as follows:

That H. B. No. 133 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 303, introduced by Beadle, Kruse, Mulholland and Freudenstein: A Bill for an Act Entitled: "An Act for the recovery of attorney fees as damages, benefits or money due under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in cases of fraud, lack of diligence, or vicious delay." Respectfully report and recommend as follows:

That H. B. No. 303 be amended as follows:

Strike the entire title, and insert in lieu thereof the following title:

A Bill for an Act Entitled: "An Act for the recovery of attorney fees as damages in actions for recovery, benefits or money due under or by virtue of the terms of any written contract of insurance; providing that the jury may fix said attorney fees and allow them as damages in cases where there is found to be fraud, lack of diligence or vexatious delay on the part of the insurer."

And as so amended, the bill do pass.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 180, introduced by Piersol: A Bill for an Act Entitled: "An Act to repeal Section 4549 of the Revised Codes of Montana of 1921 and to provide for the care and use and disposition of county fair property." Respectfully report and recommend as follows:

That H. B. No. 180 do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 269: A Bill for an Act Entitled: "An Act to amend Chapter 100 of the Session Laws of the Twenty-First Legislative Assembly of the State of Montana of 1929, relating to tax deeds, providing the method and procedure to be followed in applying for the tax

and for the issuance thereof by the county treasurer; the redemption of said lands from the tax sale; the form of deed to be issued and title conveyed thereby," respectfully report and recommend as follows:

That H. B. No. 269 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 184: A Bill for an Act Entitled: "An Act to provide for the codification of the Revised Codes of Montana of 1925; authorizing the appointment of a code commissioner, specifying his powers and duties, fixing his compensation and making a supplemental appropriation of money for said report." Respectfully report and recommend as follows:

That H. B. No. 184 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 72: A Bill for an Act Entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of justices of the peace." Respectfully report and recommend as follows:

That House Bill No. 72 do not pass, but that Substitute House Bill No. 72, by Judiciary Committee: A Bill for an Act Entitled: "An Act to amend Section 4929 of the Montana Revised Codes of 1921 relating to salaries of justice of the peace" do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 218: A Bill for an Act Entitled: "An Act providing for the appointment and removal of a herd district pound master and for the impounding by him of livestock running at large in any herd district and prescribing the amount of the fees to be collected by said pound master for livestock so impounded and for the payment to him of necessary charges and costs of keeping and selling said livestock and providing for the sale of said livestock upon the failure of the owner, owners or persons entitled to the possession thereof, to claim the same and to pay the fees, charges and costs and fixing the compensation of such pound master." Respectfully report and recommend as follows:

That House Bill No. 218 be amended as follows:

Section 4, line 4, be amended to read after the word "horses" and before the words "per head" the figures be changed to read \$1.25. After the word "sheep" and before the words "per head" the figures be changed to read \$.10. After the words "All other livestock" and before the words "per head" the figures be changed to read \$.50 and as amended, H. B. No. 218 do pass.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Agriculture having had under consideration House Bill No. 41: A Bill for an Act Entitled: "An Act to amend Section 8290 of the Revised Codes of the State of Montana of 1921 relating to mortgages on growing crops and the lien thereof." Respectfully report and recommend as follows:

That H. B. No. 41 be amended as follows:

Section 1. by adding in line 15, after the words "such crop or crop the following: "for hail insurance," Section 1, line 24, after the word "enumerated" by adding the following: "provided, however, that mortgages given upon feed or forage crops in connection with loans made primarily upon livestock, shall not be considered as within the operation of this Act." Section 3, line 5, by striking out the words, "and operation" and adding a period after the word "existence," and as amended be placed on General Orders without recommendations.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Highways having had under consideration House Bill No. 242: A Bill for an Act Entitled: "An Act providing a method by which refund or draw-back may be obtained on license taxes paid on gasoline used and consumed by cities and incorporated towns and prescribing the procedure for obtaining refund or draw-back." Respectfully report and recommend as follows:

That H. B. No. 242 do not pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 237: A Bill for an Act Entitled: "An Act to amend Section 1760 of the Revised Codes of Montana, 1921, as amended by Chapter 107 of the Laws of 1923, and by Chapter 88 of the Laws of 1927, and as amended by Chapter 182 of the Laws of 1929, relating to registration fees for motor vehicles, trailers, semi-trailers, and dealers of motor vehicles or automobile accessories and the distribution of the revenue received from motor registration fees." Respectfully report and recommend as follows:

That H. B. No. 237 do not pass, but that Substitute House Bill No. 237, by Committee on Highways: A Bill for an Act Entitled: "An Act to amend Section 1760 Revised Codes of Montana, 1921, as amended by Chapter 107 Session Laws 1923, Chapter 88 Session Laws 1927, Chapter 182 Session Laws 1929, Montana to amend Section 4 of Chapter 158 Session Laws 1931 and to repeal Section 3 of Chapter 158 Session Laws 1931, all relating to the registration and registration fees of motor vehicles and dealers of motor vehicles and the distribution of the revenues received from motor registration fees." Do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Joint Memorial No. 10: A Memorial to the Congress of the United States, urging continuance of established highway federal aid and action upon pending highway authorizations. Respectfully report and recommend as follows:

That S. J. M. No. 10 be concurred in.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 72: A Bill for an Act Entitled: "An Act regulating the business of warehousing or storing beans and requiring persons engaged in that business to first procure a license and furnish bond and prescribing penalties for a violation of the Act and prescribing the powers and duties of a Commissioner of Agriculture." Respectfully report and recommend as follows:

That S. B. No. 72 be amended as follows: That new sections be added to Section 3, beginning with the word "insurance" to read as follows:

Section 4. Any person injured by the breach of any obligation to secure which a bond is given, as in this Act provided, shall be entitled to sue on the bond in his own name in any court of competent jurisdiction to recover the damages he may have sustained by such breach, or, where more than one person has so been injured, the action may be brought in the name of the State of Montana on behalf of all such injured persons.

Section 5. The Commissioner of Agriculture shall charge, assess and cause to be collected a reasonable fee for every examination or inspection of a warehouse under this Act, to be paid to the State Treasurer.

Section 6. The Commissioner of Agriculture shall prescribe such rules and regulations as he may deem necessary for the safe conduct of the business referred to in this Act and to that end may, if he deems it necessary, require reports from any warehouseman or person receiving stored beans on blanks or forms that may be prepared by the commissioner.

Section 7. The storage of beans under the terms of this Act shall constitute a bailment and every licensee hereunder shall keep the beans of one depositor so far separate from the beans of other depositors for which a separate receipt has been issued, as to permit at all times identification and re-delivery of the beans deposited; and upon the return of the warehouse receipt properly endorsed, and upon payment or tender of all advances and legal charges, the holder of such warehouse receipt shall be entitled to, and it shall be compulsory for the warehouseman to deliver, the identical beans so placed in storage. And it shall be unlawful and constitute a conversion for any warehouseman under the provisions of this Act to remove any beans deposited with him for storage from the State of Montana or to remove them from the warehouse where they have been first stored except upon which a warehouse receipt has been issued without the written consent of the holder of the warehouse receipt or the written authority first obtained from the Commissioner of Agriculture.

Section 8. All beans accepted for storage shall first be graded according to the standards of the U. S. Department of Agriculture and the grade so established shall be noted and specified upon the warehouse receipt issued for such beans.

Section 9. Every warehouseman or person operating under this Act shall keep in a place of safety complete and correct records of all beans stored by him and all beans withdrawn from storage of all warehouse receipts issued by him, and of the receipts returned to and cancelled by him, and shall make such reports to the Commissioner of Agriculture concerning such matters as may the Commissioner of Agriculture be required by rules and regulations established by him.

Section 10. Any persons who shall engage in or carry on any business or occupation for which a license is required by this Act without first having procured a license therefor or who shall continue to engage in or carry on any such business or occupation after such license has been revoked or has expired shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than Twenty-five dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) and each and every day that such business or occupation is so carried on or engaged in shall be a separate offense. Any person who shall otherwise violate any of the provisions of this Act or shall by any manner or means convert to his own use or that of another any beans so stored or accepted for storage shall, if the value of such converted beans exceeds Five Hundred Dollars (\$500.00), be deemed guilty of a felony, and if the value is less than Five Hundred Dollars (\$500.00), be deemed guilty of a misdemeanor and in either case, upon conviction, shall be punished by fine or imprisonment or both as otherwise provided by law.

Section 11. The provisions of the Uniform Warehouse Receipts Act, Sections 4079 to 4138, as amended, insofar as they are not in conflict herewith, shall be applicable to all transactions hereunder.

Section 12. The provisions of this Act shall be administered by the Commissioner of Agriculture of the State of Montana.

Section 13. If any clause, sentence, paragraph or part of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered. Amend the bill further by numbering Section 4 of the original bill "14", and Section 5, "15". As so amended, be concurred in.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration House Bill No. 80, introduced by Ralston: A Bill for an Act Entitled: "An Act to amend Section 2875 of the Revised Codes of Montana of 1921, relating to workmen's compensation" Respectfully report and recommend as follows:

That H. B. No. 80 do not pass.

O'CONNELL, Chairman."

On motion by O'Connell report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration House Bill No. 201, introduced by Committee on Military Affairs: A Bill for an Act Entitled: "An Act permitting Evan K. Heatherly of Cascade County, Montana, to file a claim for compensation for alleged industrial accident injury and disability after expiration of six months from the date of the happening of the alleged accident injury or disability." Respectfully report and recommend as follows:

That H. B. No. 281 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation having had under consideration House Bill No. 178, introduced by Parley of Flathead: A Bill for an Act Entitled: "An Act permitting J. E. Denson, of Flathead County, Montana, to file a claim for compensation for alleged industrial accident after expiration of six months from the date of the happening of alleged accident," respectfully report and recommend as follows:

That H. B. No. 178 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 224. A Bill for an Act Entitled: "An Act amending Chapter 260 Revised Codes of 1921, by adding thereto a section numbered 3883A, fixing the maximum rates for telephone exchange service; making the charging of a greater rate unlawful, and providing penalties for the violation hereof." Respectfully report and recommend as follows:

That H. B. No. 224 do not pass.

RAGEN, Chairman."

On motion by Ragen, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Besancon: Move the communications from the Senate be considered read at length, and the Journal so show. Seconded. Carried.

Helena, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that House Bill No. 96 was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Counties and Towns to H. B. No. 96: Amend by striking out the period after the word "city," on line 32, page 1, original bill, and adding the following words after the word, "city"; "as are recommended by the State Auditor and approved by the State Examiner."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senate Bill No. 54 was this day read three several times and passed, title and history agreed to, and bill is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bill and House Joint Memorial were this day recommended for indefinite postponement by the Senate Committee of the Whole, reports adopted, and bills are herewith returned to the House.

H. B. No. 124, by Moss and Breitenstein.

H. J. M. No. 3, by O'Connell, Freudenstein and Beadle.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 91 by Committee on Public Health and Sanitary Affairs.

H. B. No. 107 by Committee on Agriculture.

H. B. No. 128, by Abrahamson.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 112 do pass.

That S. B. No. 113, do pass.

That S. B. No. 128 be amended in Section 3 by striking out in line 3 the words "Governor of the State of Montana," and inserting in lieu thereof the words, "Judge of the District Court"; and as so amended, recommend said bill do pass.

That S. B. No. 102 be amended in Section 1 by striking out in line 15 the period after the word, "years," and adding after the word, "years," the following: "including compensation paid all clerks, stenographers and other clerical assistants employed by him," and as so amended, recommend said bill do pass.

That the enacting clause be stricken from S. B. No. 149.

That consideration of S. B. No. 131 be passed for the day.

That action on H. J. M. No. 3 be indefinitely postponed.

That H. B. No. 46 be concurred in.

That further consideration of H. B. No. 62 be passed for the day.

That H. B. No. 66 be concurred in.

That H. B. No. 126 be amended in Section 3 by striking out in line 1 the words, "all fees and earnings from rentals of the Montana State Fair Grounds, buildings and equipment, shall revert to the general fund." And inserting in lieu thereof the words, "all fees and earnings of the Montana State Fair and all earnings from rentals of the Montana State Fair grounds, are hereby appropriated to pay the expenses of the Montana State Fair." And as so amended, recommend said bill be concurred in.

That H. B. No. 143 be concurred in.

That action on H. B. No. 124 be indefinitely postponed.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 14, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Counties and Towns: That S. B. No. 135, by Carro do not pass, inasmuch as S. B. No. 160 is now before the committee and which is intended to take the place of S. B. No. 135, report adopted.

Committee on Counties and Towns: That S. B. No. 146, by Plum do not pass, report adopted.

Committee on Counties and Towns: That S. B. No. 156, by Coburn be amended on line 12, original bill, by striking out the word, "the," following the period after the figure "1", and inserting in lieu thereof the word, "that," and as so amended, recommend that said bill do pass, report adopted.

Committee on Counties and Towns: That S. B. No. 160, by Carro be amended by inserting the word, "the," on line 12 following the word "of," where it appears the second time on said line; by striking out the word, "two", on line 13; by striking out the letter "s" in the word, "assessments," so as to have it read "assessment." And as so amended, recommend said bill do pass, report adopted.

Committee on Education: That S. B. No. 117, by Larson, be amended in Section 1, line 25, by striking out the word, "another," and inserting in lieu thereof the word, "other," and by adding the letter "s" to the word "district"; and as so amended, recommend said bill do pass, report adopted.

Committee on Education: That H. B. No. 101, by Committee on Education, be concurred in, report adopted.

Committee on Fish and Game: That S. B. No. 58 do not pass, report adopted.

Committee on Fish and Game: That S. B. No. 65 do pass, report adopted.

Committee on Fish and Game: That S. B. No. 121 do not pass, report adopted.

Committee on Fish and Game: That S. B. No. 142, do pass, report adopted.

Committee on Fish and Game: That S. B. No. 157 do not pass, report adopted.

Committee on Fish and Game: That H. B. No. 13 be concurred in, report adopted.

Committee on Fish and Game: That H. B. No. 89 be concurred in, report adopted.

Committee on Labor and Capital: That H. B. No. 32 be concurred in, report adopted.

Committee on Labor and Capital: That H. B. No. 68 be concurred in, report adopted.

Committee on Public Morals: That S. J. M. No. 11 be returned without recommendation, report adopted.

Committee on State Boards and Offices: That S. B. No. 193 do pass, report adopted.

Committee on State Boards and Offices: That H. B. No. 84 be concurred in, report adopted.

Committee on Federal Relations: That S. J. R. No. 5 do pass, report adopted.

Committee on Sanitary Affairs: That H. B. No. 94 be concurred in, report adopted.

Committee on Mines and Mining: That S. B. No. 56 do pass, report adopted.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Besancon: Move the House authorize the Chief Clerk to correct the title of House Bill No. 91, and Section 1 of the Bill, by inserting the correct name of the Revised Codes and of the Session Laws. Seconded. Carried.

Reardon of Deer Lodge: Move that the Committee on Employment be instructed to submit a list of the employees to be dismissed, for adoption or rejection. Seconded. Carried.

Rognlien: Move the House now reconsider its action on Sub. Senate Bill No. 20. Seconded. Carried.

Rognlien: Move Substitute Senate Bill No. 20 be re-referred to Committee on Revenue and Taxation. Seconded. Carried.

The following resolution was this day introduced read first and second times, and referred to committee:

H. J. R. No. 7, by Committee on Public Utilities and State Commissions: "Joint Resolution requesting the State Board of Railroad Commissioners and Public Utilities to make an investigation and hold a hearing with reference to the rates now charged for telephone exchange service in the State of Montana." Committee on Public Utilities and State Commissions.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the whole for the consideration of General Orders, under the rules in effect during the previous sittings. Seconded. Carried.

Pierson of Yellowstone in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 248, 252, 223, 250, 214, 165, 146, 145, 151, 162, 3, 231, 164, 188, 194, 229, 291, 223, 306, 307, H. J. M. No. 7, S. A. 1, B. No. 96, H. J. M. No. 4, and H. B. No. 3 Respectfully report and recommend as follows:

That H. B. No. 248 be amended as follows: In Section 1 by striking out after the word "health" in line 13 and before the word "industrial" in line 14, the words, "Highway Commission," and that as so amended the bill do pass.

That H. B. No. 252 do pass.

That H. B. No. 223 do pass.

That H. B. No. 250 do pass.

That H. B. No. 214 do pass.

That H. B. No. 165 do pass.

That H. B. No. 146 do pass.

That H. B. No. 145 be amended as follows: In Section 1, by striking out in line 2, after the word "than" and before the word "upon," the words "the ordinary automobile," and inserting in lieu thereof the words "eight inches"; by striking out in line 3, between the letter "a" and the word "green," the words "at the time and under the conditions specified in Section 1 of this Act," and inserting in lieu thereof the words, "white, yellow, or". In Section 2, by striking out in line 4, after the word "load," beginning with the word "at" and ending in line 5 before the letter "a" and inserting in lieu thereof the words "during" the period between sunset and sunrise," and that as so amended H. B. No. 145 do pass.

That H. B. No. 158 do pass.

That H. B. No. 162 do pass.

That H. B. No. 231 do pass.

That H. B. No. 164 do pass.

That H. B. No. 188 do pass.

That H. B. No. 194 do pass.

That H. B. No. 229 be passed for the day.

That H. J. M. No. 7 do pass.

That H. B. No. 291 do pass.

That H. B. No. 222 be passed for the day.

That H. B. No. 306 do pass.

That H. B. No. 307 do pass.

That Senate Amendments to H. B. No. 96 be concurred in.

That H. J. M. No. 4 be re-referred to Committee on Federal Relations.

That H. B. No. 3 be passed for the day.

PIERSON, Chairman."

On motion by Pierson, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was this day introduced, read first and second times at length, and referred to committee:

H. B. No. 338, introduced by Committee on Appropriations:

A Bill for an Act appropriating money for the payment of per diem to the officers and attaches of the Twenty-third Legislative Assembly of the State of Montana, and for incidental expenses of the Twenty-third Legislative Assembly of the State of Montana." Committee on Appropriations.

Hon. C. F. Holt, a former member of the House, was escorted to the rostrum and presented to the members of the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 241: A Bill for an Act Entitled: An Act authorizing and empowering cities, who by ordinance provide for the collection of taxes and assessments, to collect delinquent city taxes and assessments and repealing all Acts and parts of Acts in conflict herewith," respectfully report and recommend as follows:

That H. B. No. 241 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 292. A Bill for an Act Entitled: An Act to empower county treasurers to accept partial payments on delinquent taxes; stipulating the amount to be collected; the interest to be charged on deferred balances; the manner in which moneys for taxes so collected shall be handled; description of delinquent taxes as construed by this Act; collection of taxes not delinquent." Respectfully report and recommend as follows:

That H. B. No. 292 do not pass.

ROGNLIEN, Chairman."

"Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 277: A Bill for an Act Entitled: "An Act to amend Section 75 of Chapter 60 of the Session Laws of the State of Montana of 1927 relating to the sale of state lands and prescribing the minimum prices at which such lands may be sold," respectfully report and recommend as follows:

That H. B. No. 277 do pass.

METLEN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 207: A Bill for an Act Entitled: "An Act to amend Sections 17, 23, and 25 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the leasing of state lands, determination of rental value for agricultural and grazing purposes, and town, city and other lots." Respectfully report and recommend as follows:

That H. B. No. 207 do pass.

METLEN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 263: A Bill for an Act Entitled: "An Act to amend Section 6198 of the Revised Codes of Montana, 1921, and to authorize and empower mutual rural insurance companies to insure rural school houses and buildings used in connection therewith, community houses, churches and other public places owned by rural communities, and to amend its by-laws so as to authorize such insurance." Respectfully report and recommend as follows:

That H. B. No. 263 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

MOTIONS AND RESOLUTIONS

Nelstead: Move that House Bill No. 319 be taken from the Committee on Printing, and re-referred to the Committee on Insurance. Seconded. Carried.

Watson (Meagher): Move that House Bill No. 218 be taken from the Committee on Livestock and Public Ranges. Seconded. Carried.

Rognlien: Move that the Senate be requested to return Sub. Sen. Bill No. 20 to the House. Seconded. Carried.

Besancon: Move the House adjourn until 9:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

 FORTY-SIXTH DAY

House of Representatives,
Helena, Montana. February 16, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.
Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Logan, excused; Duffy.

Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined Journal for the forty-fourth legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing beg leave to report the following bills be considered as correctly engrossed: H. B. No. 176

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 329, 274, 244, 49, 259, 181, 205, 206, 226 and 2 H. J. M. No. 5, H. J. M. No. 6, and H. J. R. No. 5 beg leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Labor having had under consideration House Bill No. 166: A Bill for an Act Entitled: "An Act prescribing the hours of labor for persons employed in retail stores; persons employed in delivering goods sold in such stores; persons employed in wholesale warehouses used for supplying retail establishments with goods and persons employed in delivering goods to retail establishments from such wholesale warehouses, and providing penalties for a violation thereof." I respectfully report and recommend as follows:

That House Bill No. 166 do pass.

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Judiciary having had under consideration House Bill No. 213: A Bill for an Act Entitled: "An Act to prohibit the foreclosure of all real estate mortgages and/or contracts in the State of Montana for a period of two years from the passage and approval of this Act and extending the statute of limitations heretofore provided for the suits on real estate notes and/or contracts and foreclosure mortgages securing said notes and/or contracts." Respectfully report and commend as follows:

That H. B. No. 213 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 163: A Bill for an Act Entitled: "An Act to amend Section 10470 of the Revised Codes of Montana of 1921 relating to the commitment of children to orphans' home or other disposition of children and permitting said orphans' home to place children in private homes or other institutions and providing for the payment and keeping such children." Respectfully report and recommend as follows:

That H. B. No. 163 be amended as follows:

Amend the title by inserting in line 6 after the first word "of" the word "colored" and after the second word "of" in the same line insert the word "colored" and in line 7 after the word "place" insert the word "colored" and in line 9 after the word "such" insert the word "colored." Amend Section 1 by inserting in line 17 after the word "said" the word "colored", in line 21 after the word "said" insert the word "colored" and in line 22 after the word "said" insert the word "colored" and in line 23 after the word "said" insert the word "colored" and in line 25 after the word "aid" insert the word "colored" and in line 26 after the word "said" insert the word "colored" and in line 27 after the word "said" insert the word "colored" and in line 28 after the word "such" insert the word "colored" and in line 30 after the word "such" insert the word "colored." Recommends that House Bill No. 163 do pass as amended.

SHANNON, Chairman."

On motion by Green, report adopted.

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 338: A Bill for an Act Entitled: "An Act appropriating money for the payment of per diem to the officers and attaches of the Twenty-third Legislative Assembly of the State of Montana, and for incidental expenses of the Twenty-third Legislative Assembly of the State of Montana." Respectfully report and recommend as follows:

That H. B. No. 338 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 337: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance, and other purposes, as designated herein, for certain state departments, boards, bureaus and commissions for the period beginning July 1, 1933, and ending June 30, 1935." Respectfully report and recommend as follows:

That H. B. No. 337 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, a majority of your Committee on Judiciary having had under consideration House Bill No. 189: A Bill for an Act Entitled: "An Act to prohibit the foreclosure of all real estate mortgages in the State of Montana for a period of two years from the passage and approval of this Act and extending the statute of limitations heretofore provided for the suits on real estate notes and foreclosure of mortgage securing said notes." Respectfully report and recommend as follows:

That H. B. No. 189 do not pass. But that Substitute House Bill No. 189: A Bill for an Act Entitled: "An Act granting to the district court of the State of Montana in actions for foreclosure of real estate mortgages the right to direct when sale shall be had permitting postponement thereof for not exceeding two years and specifying the terms and conditions thereof, and repealing all Acts and parts of Acts in conflict herewith." Respectfully report and recommend as follows:

That Substitute H. B. No. 189 do pass.

GROENE,
MILLER,
BESANCON,
ACKER,
BYRNE,
ECTON,
FITZSTEPHENS
PIERSON."

"Mr. Speaker: We, a minority of your Committee on Judiciary having had under consideration House Bill No. 189: A Bill for an Act Entitled: "An Act to prohibit the foreclosure of all real estate mortgages in the State of Montana for a period of two years from the passage and approval of this Act and extending the statute of limitations heretofore provided for the suits on real estate notes and foreclosure of mortgage securing said notes." Respectfully report and recommend as follows:

That H. B. No. 189 do pass.

REPLOGLE,
DUFFY."

Groene: Move the adoption of the Majority report. Seconded.

Shannon: As a substitute motion move the adoption of the Minority report. Seconded.

Haight: As a substitute for all pending motions, move that both bills be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 328: A Bill for an Act Entitled: "An Act providing for the levy and collection of an income tax providing for exemptions and fixing basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in its administration; providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under this Act; providing penalties for violations hereof and making appropriations to carry out its purposes." Respectfully report and recommend as follows:

That H. B. No. 328 be amended as follows:

After the word "deposit" in Section 28 on page 26, strike out the words "fifty per centum of the taxes paid under this Act to the State General Fund." and insert in lieu thereof "twenty-five per centum of the taxes paid under this Act to the General Fund, and twenty-five per centum to the Common School Interest and Income Fund." and as so amended the bill do pass.

ROGNLIEN, Chairman."

On motion by Rognlien report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 161: A Bill for an Act Entitled: "An Act to amend Sections 2296, 2297 and 2303 and to repeal Section 2298, Montana Revised Codes of 1921; to provide a license tax upon corporations organized under the Laws of the State of Montana or organized under the laws of any other state and doing business within this state; providing a method of arriving at net income, allowing certain deductions and exempting certain corporations from said tax; to provide for location of income to Montana of business done by corporations both within and without the state; to provide for the necessary enforcement and collection of said tax, and penalties for failure to comply herewith, and granting powers to the State Board of Equalization to make rules and regulations relative thereto and repealing all Acts and parts of Acts in conflict herewith." Respectfully report and recommend as follows:

That H. B. No. 161 be amended as follows:

On page 12 at the end of Section 15 add another section thereto, to be known as Section 16, reading as follows: "Section 16. The State Treasurer shall deposit twenty-five per centum to the General Fund, twenty-five per centum to the Common School Interest and Income Fund and fifty per centum thereof to Common School Equalization Fund. The revenue so produced shall be taken account of by the State Legislature in making the annual levy for state purposes. It is the expressed intention of this Act that the revenue derived hereunder shall reduce by corresponding amount the direct tax levy which the state would otherwise make for state purposes. And that Section 16 shall be renumbered to read Section 17, and that Section 17 shall be numbered to read Section 18. And that the bill so amended do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the Communications from the Senate be considered read at length, and the Journal so show. Seconded. Carried.

Helena, Montana, February 15, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. H. B. No. 74, by Committee on Insurance, was this day recommended for non-concurrence by the Senate Committee on Insurance, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 15, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 31 do not pass.

That S. B. No. 64 do pass.

That S. B. No. 161 do pass.

That consideration of S. B. No. 162 be passed for the day.

That S. B. No. 163 do pass.

That S. B. No. 164 be amended by adding another section to be known as Section 3 to read as follows: "This Act shall be in full force

and effect from and after its passage and approval." And as so amended recommend said bill do pass.

That S. B. No. 167 do pass.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 15, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Agriculture: That S. B. No. 132 do pass, report adopted.

Committee on Banks and Banking: That S. B. No. 195 do not pass, report adopted.

Committee on Elections and Privileges: That S. B. No. 152 do not pass, report adopted.

Committee on Fish and Game: That H. B. No. 34 be amended by striking out in line 16, printed bill, beginning with the word, "and", and all words and figures down to and including the word, "year," on line 19; by striking out in line 23 the word, "Custer"; by striking out in line 23 the words "Richland and Roosevelt"; by striking out in line 24 the words "Dawson and Prairie"; by striking out in lines 34 and 35 the word "Flathead and Lincoln," and by adding after the word "Missoula," in line 35, the word "Granite"; by adding after the word "counties," in line 35, the following words: "it shall be lawful to hunt, shoot, or kill one buck deer each year between the dates of November 1 and 3, both dates inclusive, in the following counties: Roosevelt, Richland, Dawson, Prairie, Wibaux, Fallon, Custer, Carter and Powder River."; and by adding a new section to be known as Section 2-A, providing that the open season for hunting and killing elk in Park County, be extended from December 1 to January 10, both dates inclusive of each year." And as so amended recommend said bill be concurred in, report adopted.

Committee on Insurance: That Sub. H. B. No. 74 be not concurred in, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 109 do not pass, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 158 be amended in Line 28 by inserting after the word, "coupons," the words, "of interest coupons maturing within the year." And as so amended, recommend said bill do pass, report adopted.

Committee on Irrigation and Water Rights: That S. B. No. 175 do not pass, report adopted.

Committee on Judiciary:

That S. B. No. 60 do not pass.

That S. B. No. 61 do not pass.

That S. B. No. 129 do not pass.

That S. B. No. 134 do pass.

That S. B. No. 140 do not pass.

That S. B. No. 141 do not pass.

That S. B. No. 147 do not pass.

That S. B. No. 168 do pass.

That S. B. No. 174 do not pass.

That S. B. No. 184 do pass.

That S. B. No. 188 do pass.

That S. B. No. 191 do not pass.

That S. B. No. 198 be reported back without recommendation.

That S. B. No. 199 do pass.

That S. B. No. 202 do not pass.

All Judiciary Committee reports adopted.

Committee on Irrigation and Water Rights: That S. B. No. 186 be returned without recommendation, report adopted.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Setzer: Move the House reconsider its action on House Bill No. 292, taken yesterday. Seconded. Carried.

Shannon: Move to reconsider House Bill No. 184.

Groene: Move that action on the motion of the gentleman from Saners be deferred until tomorrow. Seconded.

Watson of Meagher: Move the previous question. Seconded. Carried.

The motion of Groene was then put to vote and carried.

Setzer: Move that H. B. No. 292 be printed and placed on General Orders. Seconded. Carried.

Freudenstein: Move that House Bill No. 49 be passed for the day. Seconded. Carried.

THIRD READING OF HOUSE BILLS

House Bill No. 176, introduced by Whaley, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: Breitenstein, Green (Dawson), Hilger, Jensen, Marshall, Mason, Metlen, Moss, Rognlien, Watson (Meagher): Total 10.

Absent and not voting: Arnold, Duffy, Haight, Logan, Roll, Shannon, Waite. Total 7.

The Speaker: Eighty-four have voted "aye", 10 have voted "no". House Bill No. 176 has passed the House.

Senate Amendment to H. B. No. 96, having been read three several times, history and title agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flat-

head), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Rag, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognli, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spang, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, St. van, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whal, White, Wigal, Woodcock, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Arnold, Duffy, Groene (Fergus), Know, Larsen, Logan, Lott, O'Connell, Waite. Total 9.

The Speaker: Ninety-two have voted "aye", none have voted "n". Senate Amendments to House Bill No. 96 has been concurred in by the House.

The Speaker gave notice that he was about to sign Senate Bill 1 71 and thereupon signed the same in the presence of the House.

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REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, a majority of your Committee on Public Utilities and State Commissions having had under consideration House Bill No. 210: A Bill for an Act Entitled: "An Act to amend Sections 3891, 3895, 3898, 3897, 3899 and 3906 of the Revised Codes of the State of Montana, and enact Sections 3906A and 3906B as additional sections of Chapter 20, part III of the political code of the Revised Codes of Montana of 1912, relating to the filing of schedules of rates, the inquiry into and investigation of management of public utilities, making unnecessary the permanent employment of an engineer, alteration of rates and hearing thereon, fixing of rates, keeping of records, review of decisions, and assessment of costs." Respectfully report and recommend as follows:

That H. B. No. 210 do not pass.

RAGEN
GROENE,
WATSON (Meagher),
REARDEN (Cascade),
PARKER (Broadwater),
SOMERVILLE."

"Mr. Speaker: We, a minority of your Committee on Public Utilities and State Commissions having had under consideration House Bill No. 210: A Bill for an Act Entitled: "An Act to amend Sections 3891, 3898, 3896, 3897, 3899 and 3906 of the Revised Codes of the State of Montana and to enact Sections 3906A and 3906B as additional sections of Chapter 20, part III of the political code of the Revised Codes of Montana of 1912, relating to the filing of schedules of rates, the inquiry into and investigation of management of public utilities, making unnecessary the permanent employment of an engineer, alteration of rates and hearing thereon, fixing of rates, keeping of records, review of decisions, and assessment of costs." Respectfully report and recommend as follows:

That H. B. No. 210 be amended as follows:

In the second line of the title, strike out the figure "3896."

In the seventh line of the title, strike out the phrase "making unnecessary the permanent employment of an engineer."

Amend the body of the Bill: By adding at the end of Section the following phrase: "Wherever under the Codes of the State of Montana the Public Service Commission is authorized or directed to employ persons at fixed salaries, such persons may be employed or not at the discretion of said Commission and such salaries may be reduced at the discretion of said Commission."

Further amend by striking out all of Section 3.

Further amend in Section 8, line 29 by inserting after the period after the word "appear" the following: "All money paid to the State Treasurer covering the costs and expenses of the commission shall be placed to the credit of the General Fund."

Do pass as amended.

SPARLING,
STEVENS,
O'SHEA,
STRANGE,
FOWLER."

Ragen: Move the adoption of the Majority report. Seconded.

Fowler: Move the adoption of the Minority report. Second. Carried.

"Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 234. A Bill for an Act Entitled. "An Act amending Section 1175, Revised Codes of Montana, 1921, providing for the light and ventilation of school buildings. Regulating the approval of plans therefor by the State Board of Health, and providing a penalty for the violation of the provisions of this Act."

Respectfully report and recommend as follows: That H. B. No. 234, do pass.

FREED, Chairman."

On motion by Moss, report adopted.

"Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 251: A Bill for an Act Entitled: "An Act to amend Section 933 of the Revised Codes of Montana, 1921, relating to the official staff of the Superintendent of Public Instruction, and repeal all Acts and parts of Acts in conflict herewith."

Respectfully report as follows: That House Bill No. 251, do not pass.

FREED, Chairman."

On motion by Moss, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 308: A Bill for an Act Entitled: "An Act defining 'bottled soft drink products' and imposing certain license fees and taxes on the sale of 'bottled soft drink products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of 'bottled soft drink products' by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith."

Respectfully report and recommend as follows: That House Bill No. 308, do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game having had under consideration House Bill No. 197, introduced by Shannon: A Bill for an Act Entitled: "An Act creating the Cherry Creek Game Preserve in Sanders and Mineral counties and defining the boundaries thereof."

Respectfully report and recommend as follows: That House Bill No. 197 do pass.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

MOTIONS AND RESOLUTIONS

Ragen: Move that H. B. No. 318 be re-referred to Committee on Judiciary. Seconded. Carried.

O'Shea: Move that House Bill No. 24 be taken from the hand of the Committee on State Institutions, Public Buildings and Grounds, and that it be printed and placed on General Orders. Seconded. Carried.

Besancon: Move that the House now recess until 2:00 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 2:00 o'clock.

Mr. Speaker in the Chair.

REPORTS OF SPECIAL COMMITTEES

"Mr. Speaker: We, your Conference Committee, having had under consideration Senate Amendment to House Bill No. Nine (9) respectfully report as follows:

That the House accedes to the Senate Amendments to lines eighteen (18) and nineteen (19), page two (2) of the original bill;

That the word "or" be stricken from the original bill, in line eighteen (19) after the word "duty".

That the words and figures "nine cents" (9c) on lines twenty-two (22) and twenty-three (23), page two (2), in Senate Amendment to line twenty-three (23), page two (2), in Senate Amendment to line twenty-three (23), page two (2), of the original bill be stricken out and the words and figures "eight and one-half cents" (8½c) be inserted in lieu thereof.

That the House accedes to the Senate Amendment in lines twenty-eight (28) and twenty-nine (29), page two (2) of the original bill: and it so agreed upon that the report of the Conference Committee be concurred in.

REPLOGLE, Representative,
STRANGE, Representative,
FREED, Representative,
KAULBACH, Senator,
THIEN, Senator,
CLIFFORD, Senator."

Replogle: Move the adoption of the report. Seconded.

Upon roll call, the report of the Conference Committee was adopted by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Bald, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Ecton, Ferry, Fidler, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Johnson, Knowles, Kruse, Kuhl, Lewis, Lott, Love, McDermott, Manning, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelson, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilegeram, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, R...

lie Roll, Rolph, Schuster, Setzer, Snidow, Spangler, Sparling, Stephens (Cone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 79.

Noes: Doe, Goodwin, Grabow, Harrington, McCarvel, McElwain, Miles, Rerdon (Deer Lodge). Total 8.

Absent and not voting: Arnold, Duffy, Larsen, Logan, Metlen, O'nnell, Pierson, Porter, Shannon, Somerville, Strange, Waite, Whaley, Widcock. Total 14.

The Speaker: Seventy-nine have voted "aye", 8 have voted "no." The report of the Conference Committee has been adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 204, 203, 187, 102, 284, 258, 266 and 282 and Sub. H.B. No. 271, beg leave to report that the same have this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 317, introduced by Roll. A Bill for an Act Entitled: "An Act to amend Sections 4835, 4836, 4843, 48 and 4847 of Chapter 31 of the Revised Codes of Montana of 1921, relating to the qualifications of county surveyor, defining the powers and duties of county surveyor in certain counties; and providing for compensation of county surveyor."

Respectfully report and recommend as follows: That House Bill No. 317 do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Labor having had under consideration House Bill No. 99: A Bill for an Act Entitled: "An Act to amend Chapter 102 of the Session Laws of the Twenty-second Legislative Assembly, 1931, relating to contracts on public works; providing for preferential employment and rate of wages to be paid; providing for posting of notice of such wages in conspicuous place; providing for revocation of contract for failure to comply with provisions of this Act; providing for penalties for failure to enforce the provisions of this Act."

Respectfully report and recommend as follows: That House Bill No. 99 be amended by inserting in Section 1, line 8, of the original bill, following the word "performed," and before the comma, the following words: "for a period of not less than sixty days immediately before the date of the letting of the contract,"; and by striking out all of Section 3 and inserting in lieu thereof the following: "Section 3. If any person, firm or corporation in the capacity of contractor or sub-contractor or otherwise, shall fail to comply with provisions of this Act, such failure shall constitute a breach of the contract mentioned in Section 1 of this Act, and if afterwards being informed of such failure by the state, county, municipal or school officer or officers who executed the contract, such person, firm or corporation persists in such failure for a period of 48 hours thereafter, the said state, county, municipal or school officer or officers must at the end of said period annul the contract and provide for the completion of the work under the supervision of their regular engineers or otherwise, and any loss sustained or cost incurred above the contract price shall be recovered from the contractor and his surety." And as so amended do

BEADLE, Chairman."

On motion by Beadle, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration Sub. House Bill No. 70. A Bill for an Act entitled: "An Act to amend Section 2201 of the Revised Codes of Montana of 1921 relating to the time of redemption from tax sales."

Respectfully reported as follows: That Sub. House Bill No. 70 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Mines and Mining having had under consideration House Bill No. 316 and 134:

No. 316, introduced by Roll and Reardon, A Bill for an Act entitled: "An Act providing for a penalty against the owner, lessor or operator of any coal mine, who shall discharge employees for refusing to work in unventilated tunnels, rooms or other excavations, where the same shall not have been ventilated as provided in Section 3504, as amended, and 3505 Revised Codes of Montana of 1921."

No. 134, introduced by Pilgeram: A Bill for an Act Entitled: "An Act to amend Section 3545 of the Revised Codes of Montana of 1921, relating to penalties for violation of the coal mining laws of the State of Montana."

Respectfully report and recommend as follows: That House Bill No. 316 do not pass.

That House Bill No. 134 be amended as follows:

In line 6, Section 1, of the printed bill, immediately following the word "causes" and before the word "them," insert the following: "Any employee to do the things prohibited, or causes."

In line 11, Section 1, of the printed bill, immediately following the word "company" and before the word "has" insert a comma, and the following words: "corporation or operator."

And as so amended recommend that the same do pass.

McDERMOTT, Chairman."

On motion by McDermott, report adopted.

"Mr. Speaker: We, your Committee on Agriculture having had under consideration House Bill No. 293: A Bill for an Act Entitled: "An Act providing for a lien upon personal property for services performed by agricultural and farm laborers."

Respectfully report and recommend as follows: That House Bill No. 293 do pass.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Agriculture having had under consideration Senate Bill No. 41: A Bill for an Act Entitled: "An Act to amend Section 3574, of the Revised Codes of Montana of 1921, as amended by Section 1, Chapter 41, of the Session Laws of the Eighteenth Legislative Assembly of Montana, as amended by Section 1, Chapter 154, of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana; to amend Section 3579, of the Revised Codes of Montana of 1921, as amended by Chapter 154, of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana; to amend Section 3588, of the Revised Codes of Montana of 1921, as amended by Chapter 41, of the Session Laws of the Eighteenth Legislative Assembly of the State of Montana, as amended by Chapter 174, of the Session Laws of the Nineteenth Legislative Assembly of the State of Montana, as amended

b Chapter 154, of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, relating to a public warehouse, the regulation on charges of public warehousemen, and the delivery of grain to the holder of a receipt therefor and instruction to warehousemen."

Respectfully report and recommend that Senate Bill No. 41 be concurred in.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Improvements and Manufacturing having had under consideration House Bill No. 125, introduced by Bancon: A Bill for an Act Entitled: "An Act relating to the letting of contracts for public works, and providing for the purchasing of materials and supplies manufactured or produced in Montana to be used in public works and providing for the giving of a differential of five per cent to persons, corporations or concerns who manufacture or produce such materials and supplies in the State of Montana."

Respectfully report and recommend as follows: That House Bill No. 125, do not pass.

McCARVEL, Chairman."

On motion by McCarvel, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 127. Introduced by Balgord: A Bill for an Act Entitled: "An Act authorizing the Board of County Commissioners of any county to transfer moneys in county funds to a fund for use for purposes of relief in cases of emergencies declared by the Governor."

Respectfully report and recommend as follows: That House Bill No. 127, do not pass, but respectfully report as follows: That House Substitute for House Bill No. 127: A Bill for an Act Entitled: "An Act authorizing the Board of County Commissioners of any county to transfer moneys in county funds to a fund for use for purposes of relief in cases of emergencies declared by the Governor." Do pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 138, introduced by Doe: A Bill for an Act Entitled: "An Act requiring the county assessor to annually value and assess property in his county subject to taxation, and repealing Chapter 110 of the Session Laws of 1927."

Respectfully report and recommend as follows: That House Bill No. 138, do pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 256, introduced by the Committee on Economy: A Bill for an Act Entitled: "An Act to amend Section 10481 of the Revised Codes of Montana, 1921; Section 10482 of the Revised Codes of Montana, 1921, as amended by Chapter 12 of the Session Laws of the Twentieth Legislative Assembly; Section 10483 of the Revised Codes of Montana, 1921; and to repeal Section 10487 of the Revised Codes of Montana, 1921; all relating to mothers' pensions."

Respectfully report and recommend as follows: That House Bill No. 256, do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 315, introduced by Rognlie, A Bill for an Act Entitled: "An Act relating to the powers of County Commissioners to issue and sell funding bonds, and amending Section 6 of Chapter 188 of the 1931 Session Laws of the State of Montana"

Respectfully reported as follows: That House Bill No. 315, do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Public Utilities and Street Commissions having had under consideration House Bill No. 236: A Bill for an Act Entitled: "An Act defining "accommodation smelters" and "custom smelters"; providing an emergency exists making "custom smelters" a public convenience and necessity thereby making "custom smelters" a public utility; defining the duties of the Public Service Commission of Montana relative to "custom smelter"; providing for the appointment and duties of an "umpire"; fixing reasonable rules and regulations for the weighing and sampling and adjusting disputed claims on ore shipments to "custom smelters" and providing a fee from ore to be smelted for carrying out the provisions of this Act and creating a special fund from such receipts to be known as a "smelter umpire fund."

Respectfully report and recommend as follows: That House Bill No. 236 do not pass.

RAGEN, Chairman."

On motion by Ragen, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking having had under consideration House Joint Resolution No. 6, respectfully report and recommend as follows: That House Joint Resolution No. 6 do not pass.

MILLER, Chairman."

Miller: Move the adoption of the report. Seconded.

Pilgeram: As a substitute motion, move that H. J. R. No. 6 be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 257: A Bill for an Act Entitled: "An Act making it unlawful for any banking corporation on and after the 2nd day of January, 1934, to receive or accept deposits on any day if at the opening of business on that day it has deposits in excess of ten dollars (\$5.00) for each dollar of paid-in capital, or paid-in capital and surplus, if there be a surplus, and providing penalties for a violation thereof."

Respectfully report and recommend as follows: That House Bill No. 257 do not pass.

MILLER, Chairman."

Miller: Move the report be adopted. Seconded.

Mulholland: As a substitute motion, move the bill be printed and placed on General Orders. Seconded.

Groene: As a substitute for all pending motions, move the motion of the gentlemen from Silver Bow be postponed indefinitely. Seconded. Defeated.

The substitute motion of Mulholland was then put to a vote and carried.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills be considered as correctly engrossed: House Bills Nos. 291, 194, 188, 158, 231.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: 248, 252, 146, 306, 307, 250, 21, 165, 145, 162, 214 and 164 and H. J. M. No. 7.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 272: A Bill for an Act Entitled: "An Act defining 'cosmetics and kindred products'; and imposing certain license fees and taxes on the sale of 'cosmetics and kindred products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in through sale, barter, or exchange of 'cosmetics and kindred products' by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts or parts of Acts in conflict herewith."

Respectfully reported as follows: That House Bill No. 272 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 235, introduced by Committee on Economy. A Bill for an Act Entitled: "An Act providing for the number of days in the month in which County Commissioners in certain counties shall be permitted to meet or be in session."

Respectfully report and recommend as follows: That House Bill No. 235 do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Agriculture having had under consideration House Bill No. 262: A Bill for an Act Entitled: "An Act creating a commission to study the laws of Montana relating to the custody, care, protection and supervision of minors in the State of Montana; such commission to make reports to the Twenty-fourth Legislative Assembly; to propose bills for amendment or codification of such laws; providing for the organization and conduct of the work of such commission; appropriating moneys for the carrying on of such work and prescribing the methods of expenditure of such appropriation."

Respectfully report and recommend as follows: That House Bill No. 262 carries an appropriation, and therefore, we respectfully request that it be referred to the Appropriations Committee.

JENSEN, Chairman."

On motion by Snidow, report adopted.

"Mr. Speaker: We, your Committee on Public Safety having had under consideration House Bill No. 191, introduced by Spangler: A Bill for an Act Entitled: "An Act to repeal Chapter 104 of the Session Laws of the Twenty-second Legislative Assembly of Montana and to revive any

statute repealed by said Chapter being an Act providing for the licensing of persons, firms or corporations selling or vending drugs, or medicines and remedies as provided under the authority of Chapter 227 of the revised Codes of Montana of 1921; providing for the issuance of such license, and fees therefor and penalties for the violation of the provisions of this Act."

Respectfully report and recommend as follows: That House Bill No. 191, be amended as follows: To title, in third line after the word Montana and before the word being in line 4 strike out the words "and to repeal any statute repealed by said chapter."

Strike out Section 2.

Number present Section 3—Section 2.

Do pass as amended.

PIERSON, Chairman."

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs having had under consideration House Bill No. 261, introduced by Committee on Public Health and Sanitary Affairs. A Bill for an Act Entitled: "An Act to amend Code Section 5239 relating to sewer systems in cities and towns and the collection of revenue to defray the cost and maintenance thereof and providing for a system of sewer rentals."

Respectfully report and recommend as follows: That House Bill No. 261 be amended as follows: In line 18, page 1 of the original bill after the word "construed" insert the following: "such branches and extensions of sewers already constructed, or to be constructed";

In line 26, page 1 of the original bill after the word "mention" strike out the comma and insert a period and insert the following: "the city council shall, at the annual municipal election, submit to a vote the question whether or not the city council may establish and collect rentals for the use of such sewer system and may fix scale of such rentals and prescribe the manner and time at which such rentals shall be paid, and if a majority of votes is cast in favor of such proposition then"; and when amended, do pass as amended.

DOE, Chairman."

On motion by Doe, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 275, introduced by Fitzstephens A Bill for an Act Entitled: "An Act relating to property rights in domesticated fur bearing animals providing for brands upon same, recording such brands and prescribing fees therefor."

Respectfully report and recommend as follows: That House Bill No. 275, be amended as follows: In line 25 of the original bill the period after the word captivity be changed to a semi-colon and the following words inserted: "Provided, however, that such escaped animals must bear a registered brand or tattoo, pursuant to Section 2 of this Act, to be subject to private ownership."

In line 1 and 2 of page 2 the words and numerals "Two Dollars and Fifty Cents (\$2.50)" be stricken and the words and numerals "Four Dollars (\$4.00)" be substituted." Do pass as amended.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the communications from the Senate be considered read at length, and the Journal so show. Seconded. Carried.

Mr. Speaker: I am directed by the Senate to inform your Honorable
 By that the request of the House for the return of Sub. for S. B. No.
 20 by Committee on Taxation was this day, on motion, granted, and bill
 is herewith returned to the House for further consideration.

Respectfully,

J. F. CONE,
 Secretary.

MOTIONS AND RESOLUTIONS

Rognlien: I ask for the unanimous consent of the House to introduce
 a bill without previous notice, after the 40th day. Without objection,
 permission granted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bill was this day introduced, read first and second
 times, and referred to committee:

H. B. No. 339: By Committee on Revenue and Taxation: A Bill for
 an Act Entitled: "An Act to provide for the licensing and regulation of
 the manufacture, sale and distribution of beer and other similar fermented
 beverages, and for the raising and disposition of revenue therefrom."
 Committee on Revenue and Taxation.

THIRD READING OF HOUSE BILLS

Without objection, all bills on Third Reading were ordered read by
 title, history and section number only.

House Bill No. 291, introduced by Committee on Appropriations, hav-
 ing been read three several times, title and history agreed to, was passed
 by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle,
 Bencon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chap-
 man, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater,
 Frid, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fer-
 gu), Hagerty, Haight, Harlen, Harington, Hilger, Holecek, Jensen,
 Krwles, Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, Mc-
 Eluin, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn),
 Mir (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea,
 Paer (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Reard-
 on (Cascade), Reardon (Deer Lodge), Replogle, Rolph, Schuster, Setzer,
 Shimon, Somerville, Spangler, Sparling, Stephens (McCone), Stevens
 (Weatland), Strange, Sullivan, Trenne, Ueland, Waite, Watson (Mea-
 gh), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speak-
 er. Total 87.

Noes: Fitzstephens: Total 1.

Absent and not voting: Arnold, Duffy, Fowler, Givens, Larsen, Logan,
 Mc, Parker (Flathead), Porter, Rognlien, Roll, Snidow, Stiefel. Total
 13.

The Speaker: Eighty-seven have voted "aye", 1 has voted "no," H.
 B. o. 291 has passed the House.

House Bill No. 194, introduced by Reardon, having been read three
 several times, title and history agreed to, was passed by the following
 vote

Ayes: Abrahamson, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Findlater, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lott, Love, McCarvel, McDermott, McElwain, Mars, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trene, Ueland, Waite, Watson (Meagher), Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 82.

Noes: Blankenbaker. Total 1.

Absent and not voting: Arnold, Duffy, Fowler, Harlen, Larsen, Leis, Logan, Manning, Mason, Metlen, Parker (Flathead), Porter, Ragnlien, Rognlien, Somerville, Whaley. Total 16.

The following passed their vote: Acher, White. Total 2.

The Speaker: Eighty-two have voted "aye", 1 has voted "no", House Bill No. 194 has passed the House.

House Bill No. 188, introduced by Setzer and Anderson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Leis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mars, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trene, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Arnold, Duffy, Logan, Mason, Metlen, Mulholland, Parker (Flathead), Roll, Whaley. Total 9.

The Speaker: Ninety-two have voted "aye", none have voted "no", House Bill No. 188 has passed the House.

House Bill No. 158, introduced by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Miles, Miller (Big Horn), Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sp-

in, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Waley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Arnold, Daugherty, Duffy, Logan, Marshall, Miles, Miller (Lincoln), Moss, Mulholland, Parker (Flathead), Ralston, Rrdon (Deer Lodge), Roll, Shannon. Total 13.

The Speaker: Eighty-seven have voted "aye" none have voted "no", Hise Bill No. 158 has passed the House.

House Bill No. 231, introduced by Metlen, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Bdle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Clipman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Gene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, Nutting, O'Connell, Onea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rrdon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Timne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wite, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: Arnold, Daugherty, Duffy, Freed, Logan, Mulholland, Parker (Flathead), Ralston. Total 8.

The Speaker: Ninety-three have voted "aye", none have voted "no", Hise Bill No. 231 has passed the House.

House Bill No. 248, introduced by Committee on Economy, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Bdle, Besancon, Bjorneby, Blankenbaker, Byrne, Chapman, Conner, Dan, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Given Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, McCarvel, McDermott, McElwain, Manning, Metlen, Miller, (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Quamme, Rognlien, Schuster, Setzer, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Timne, Ueland, Watson (Meagher), White, Wigal, Woodcock. Total 67.

Noes: Breitenstein, Campbell, Cusker, Daugherty, Doe, Grabow, Hilge Jensen, Love, Mason, Miles, Moss, Porter, Ragen, Reardon (Cascade), Rrdon (Deer Lodge), Replogle, Roll, Rolph, Somerville, Waite, Watson (Missoula), Whaley, Mr. Speaker. Total 24.

Absent and not voting: Arnold, Duffy, Freed, Groene (Fergus), Logg, Marshall, Miller (Lincoln), Parker (Flathead), Ralston, Shannon, Total 10.

The Speaker: Sixty-seven have voted "aye", 24 have voted "no", Hise Bill No. 248 has passed the House.

House Bill No. 252, introduced by Committee on Economy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Larsen, Lewis, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ralston, Rearden (Cascade), Replogle, Rognlien, Schuster, Snidow, Spangler, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 77.

Noes: Abrahamson, Annin, Findlater, Hagerty, Kuhl, Love, O'Shea. Total 8.

Absent and not voting: Acher, Arnold, Duffy, Freed, Grabow, Logan, Mason, Miles, Moss, Porter, Reardon (Deer Lodge), Roll, Rolph, Shannon, Watson (Meagher). Total 16.

The Speaker: Seventy-seven have voted "aye", 8 have voted "no"; House Bill No. 252 has passed the House.

House Bill No. 146, introduced by Campbell, having been read several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Green (Dawson), Groene, Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 88.

Noes: Miller (Big Horn), O'Shea, Stevens (Wheatland). Straggled. Total 4.

Absent and not voting: Arnold, Freed, Hilger, Logan, Love, Mason, Rolph, Shannon, Watson (Meagher). Total 9.

House Bill No. 306, introduced by Committee on Economy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Ecton, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Lott, Love, Manning, Marshall, Mason, Miller (Big Horn), Nass, Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rolph, Schuster, Snidow, Spangler, Sparling, Stevens (Wheatland), Stiefel, Straggled, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 64.

Noes: Abrahamson, Beadle, Doe, Duffy, Ferry, Grabow, Harrington, Jensen, Larsen, McCarvel, McDermott, McElwain, Miles, Miller (Lincoln), Moss, Mulholland, O'Connell, O'Shea, Porter, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Somerville, Stephens (McCone), Sullivan. Total 25.

Absent and not voting: Arnold, Breitenstein, Doran, Freed, Logan, Metlen, Roll, Setzer, Shannon, Waite. Total 10.

The following passed their vote: Freudenstein, Replogle. Total 2.

The Speaker: Sixty-four have voted "aye", 25 have voted "no", House Bill No. 306 has passed the House.

H. B. No. 307, introduced by Committee on Economy, having been read three several times, title and history agreed to, was defeated by the following vote:

Ayes: Annin, Besancon, Bjerneby, Blankenbaker, Conner, Daugherty, Doe, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Haight, Hilger, Holecek, Jensen, Kruse, Kuhl, Marshall, Miller (Big Horn), Mulholland, Nass, Nutting, Pierson, Pilgeram, Ragen, Ralston, Singler, Sparling, Stiefel, Strange, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal. Total 39.

Noes: Acher, Anderson, Balgord, Ballard, Beadle, Breitenstein, Byrne, Campbell, Cusker, Doran, Duffy, Ecton, Fowler, Goodwin, Grabow, Gen (Dawson), Groene (Fergus), Harrington, Knowles, Larsen, Lewis, Lt, Love, McCarvel, McDermott, McElwain, Manning, Mason, Miles, Miller (Lincoln), Moss, Nelstead, O'Connell, O'Shea, Parker (Broadwater), Porter, Quamme, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Stephens (McCone), Svens (Wheatland), Sullivan, Trenne, Waite, Woodcock, Mr. Speaker. Total 53.

Absent and not voting: Abrahamson, Arnold, Harlen, Logan, Metlen, Parker (Flathead), Rolph, Shannon: Total 8.

The following passed their vote: Chapman. Total 1.

The Speaker: Thirty-nine have voted "aye", 53 have voted "no"; House Bill No. 307 has failed to pass the House.

House Bill No. 250, introduced by Committee on Highways, having been read three several times, title and history agreed to was passed by the following vote:

Ayes: Anderson, Balgord, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Lt, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Sizer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 79.

Noes: Blankenbaker, Hilger, Kruse, Miles, O'Shea, Parker (Flathead), Ragen, Rolph, Strange, Trenne, Waite, Woodcock. Total 12.

Absent and not voting: Abrahamson, Annin, Arnold, Haight, Logan, Lt, Metlen, O'Connell, Roll. Total 9.

The following passed their vote: Acher. Total 1.

The Speaker: Seventy-nine have voted "aye", 12 have voted "no"; House Bill No. 250 has passed the House.

House Bill No. 223, introduced by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Groene

(Fergus), Hagerty, Haight, Harlen, Harrington, Jensen, Kruse, Larsen, Lewis, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Hilger. Total 1.

Absent and not voting: Abrahamson, Arnold, Freed, Freudenstein, Holecck, Knowles, Logan, Lott, Metlen, Moss, O'Connell, Pierson, Ragen, Roll, Strange. Total 15.

The Speaker: Eighty-five have voted "aye", 1 has voted "no," House Bill No. 223 has passed the House.

House Bill No. 165, introduced by Committee on Fish and Game, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Seer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker: Total 85.

Noes: None.

Absent and not voting: Arnold, Doe, Fowler, Freed, Haight, Holecck, Logan, Metlen, O'Connell, Parker (Flathead), Porter, Ragen, Stevens (Wheatland), Strange, Sullivan, Watson (Meagher). Total 16.

The Speaker: Eighty-five have voted "aye", none have voted "no"; House Bill No. 165 has passed the House.

House Bill No. 145, introduced by Committee on Highways, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Knowles, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 75.

Noes: Kruse, Ragen, Shannon, Waite. Total 4.

Absent and not voting: Arnold, Beadle, Byrne, Conner, Freed, Holecck, Larsen, Logan, Manning, Metlen, Mulholland, Nutting, O'Connell, Pierson, Porter, Ralston, Somerville, Spangler, Strange, Sullivan, Watson (Meagher), Watson (Missoula). Total 22.

The Speaker: Seventy-five have voted "aye", 4 have voted "no";
House Bill No. 145 has passed the House.

House Bill No. 162, introduced by Anderson and Setzer, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Jensen, Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Schuster, Setzer, Snidow, Snerville, Sparling, Stevens (Wheatland), Stiefel, Strange, Sullivan, Tanne, Ueland, Waite, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 73.

Noes: Ballard, Conner, Cusker, Daugherty, Doe, Harrington, Stephens (McCone). Total 7.

Absent and not voting: Arnold, Beadle, Byrne, Doran, Duffy, Freed, Givens, Holecek, Knowles, Larsen, Logan, Metlen, Moss, Nutting, Ralston, Rognlien, Rolph, Shannon, Spangler, Watson (Meagher), Watson (Missoula). Total 21.

The Speaker: Seventy-three have voted "aye"; 7 have voted "no";
House Bill No. 162 has passed the House.

House Bill No. 214, introduced by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Tanne, Ueland, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: Harrington. Total 1.

Absent and not voting: Arnold, Byrne, Fowler, Freed, Givens, Groene (Fergus), Knowles, Larsen, Logan, McElwain, Metlen, Shannon, Snidow, Waite, Watson (Meagher), Watson (Missoula). Total 16.

The Speaker: Eighty-four have voted "aye", 1 has voted "no";
House Bill No. 214 has passed the House.

House Bill No. 164, introduced by Committee on Economy, having been read three several times, history and title agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Bjorneby, Blankenbaker, Breitenstein, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Tanne, Ueland, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

land, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stephens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), Wigal, Whaley, White, Woodcock, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Arnold, Besancon, Byrne, Chapman, Fitzstephens, Freed, Givens, Knowles, Logan, Metlen, Roll, Rolph, Shannon, Watson (Meagher). Total 14.

The Speaker: Eighty-seven have voted "aye", none have voted "no". House Bill No. 164 has passed the House.

House Joint Memorial No. 7, introduced by Breitenstein, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Balla, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Cerner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jens, Knowles, Kruse, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stephens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Arnold, Byrne, Chapman, Duffy, Freed, Kull, Larsen, Logan, Metlen, Reardon (Deer Lodge), Roll, Rolph, Stranahan, Sullivan. Total 14.

The Speaker: Eighty-seven have voted "aye". None have voted "no"; House Joint Memorial No. 7 has passed the House.

MOTIONS AND RESOLUTIONS

Rognlien: Move that Sub. S. B. No. 20 be re-referred to Committee on Revenue and Taxation. Seconded. Carried.

Besancon: Move that all Revenue Measures be placed at the head of the list in the hands of the printers and on General Orders. Seconded. Carried.

Beadle: Move that House Bills Nos. 259 and 181 be passed for the day. Seconded. Carried.

Besancon: Move that House Bill No. 246 be passed for the day. Seconded. Carried.

Breitenstein: Move that House Bills Nos. 205 and 206 be passed for the day. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders, under the rules in effect at the previous sittings. Seconded. Carried.

Groene of Fergus in the Chair.
Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills No. 3, H. B. No. 222, H. B. No. 229, H. B. No. 288, respectfully report and recommend as follows:

That H. B. No. 3 be amended as follows: By adding an additional section to be numbered "Section 3" and to read as follows: "All Acts and parts of Acts in conflict herewith are hereby repealed." And that as so amended the Bill do pass.

That H. B. No. 222 by amending title of printed bill by striking out in line 2, following the figures "1927" all words and figures beginning with the word "Section" and ending with the figures "1931" in line 4, also inserting in lieu thereof the words "defining terms for Act"; also by striking out in line 9, following the word "state" all words beginning with the word "defining" and ending with the word "thereof" in line 11. Also amend Section 1 of the printed bill by striking out in line 5 paragraph (a) after the word "substance" and before the word "from," the word "provided," and inserting in lieu thereof the word "produced," and in line 6 by striking out the word "by" after the word "used" and before the word "producing" and inserting in lieu thereof the word "for." Also in Section 1 in line 9 paragraph (B) between the word "any" and "Volatile" the word "other," and as so amended the bill do pass.

That H. B. No. 229 do pass.

That H. B. No. 254, do pass.

That H. B. No. 288, do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the Consideration of General Orders, under the rules in effect at the previous sittings. Seconded. Carried.

Groene of Fergus in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration H. B. No. 297, H. B. No. 304, H. B. No. 311, H. B. No. 329, and H. B. No. 274, respectfully report and recommend:

That H. B. No. 297 have enacting clause stricken.

That H. B. No. 304 do pass.

That H. B. No. 311 have enacting clause stricken.

That H. B. No. 329 do pass.

That H. B. No. 274 be passed for the day.

GROENE, Chairman."

On motion by Groene, report adopted.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bill was introduced, read first and second time and referred to committee:

H. B. No. 340, by Committee on Appropriations: A Bill for an Act Entitled: "An Act transferring the surplus of certain moneys appropriated in House Bills No. 1 and No. 338 of the Twenty-third Legislative Assembly of the State of Montana, to supplement the appropriation contained in said House Bills for the payment of per diem to the officers and attaches of said Legislative Assembly and appropriating said surplus for the purpose." Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 269, 230, 102, 178, 241, 336, 201, 303, 309, 263, 240, 277 and 233, Sub. H. B. No. 72 and Sub. H. B. No. 113, leave to report that the same have this day been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 91, 107 and 128, do hereby report that said Bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:05 o'clock p. m. delivered to the Governor for his approval.

MULHOLLAND, Vice-Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 183: A Bill for an Act Entitled: "An Act to repeal Sections 1928, 1930 and 1932, of the Revised Codes of Montana of 1921 as amended by Chapter 6 of the Laws of the State of Montana of 1923; and Sections 1929, 1931, 1933, 1934, 1935, 1936, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947 and 1948 of the Revised Codes of Montana of 1921, all of the said sections relating to the investment of the common school permanent fund and other permanent funds of the State of Montana, including the investment of such funds in farm mortgage loans."

Respectfully report and recommend as follows: That House Bill No. 183 do not pass, but that Substitute House Bill No. 183: A Bill for an Act Entitled: "An Act to repeal Sections 1928, 1930 and 1932 of the Revised Codes of Montana of 1921 as amended by Chapter 6 of the Laws of the State of Montana of 1923; and Sections 1929, 1931, 1933, 1934, 1935, 1936, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947 and 1948 of the Revised Codes of Montana of 1921, all of the said Sections relating to the investment of the common school permanent fund and other permanent funds of the State of Montana, including the investment of such funds in farm mortgage loans." Do pass.

METLEN, Chairman."

On motion by Metlen, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 314: A Bill for an Act Entitled: "An Act permitting the construction of passes on roads and highways which will permit the passage of automobiles and trucks and prevent the passage of livestock; authorizing such construction by county commissioners or under their direction, under certain conditions; and providing that such a pass in a legal fence shall not derive such fence of its character as a legal fence."

Respectfully report and recommend as follows: That House Bill No. 314, do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 273: A Bill for an Act Entitled: "An Act to repeal Section 2435, Montana Revised Codes, 1913, providing for a license tax for the privilege of selling cigarettes."

Respectfully report and recommend as follows: That House Bill No. 273 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 208: A Bill for an Act Entitled: An Act to amend Section 2435 of the Revised Codes of Montana of 1921 relating to licenses on certain businesses including the sale of cigarettes."

Respectfully report and recommend as follows: That House Bill No. 208 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 267: A Bill for an Act Entitled: An Act to amend Section 2 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, and Section 3 of Chapter 65 of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 141 of the Twentieth Legislative Assembly of 1927, relating to tax on direct and collateral inheritances, bequests and devices, and to provide for its assessment and collection."

Respectfully report and recommend as follows: That House Bill No. 267 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 339: A Bill for an Act Entitled: "An Act to provide for the licensing and regulation of the manufacture, sale and distribution of beer and other similar fermented beverages, and for the raising and disposition of revenue therefrom."

Respectfully report and recommend as follows: That House Bill No. 339 do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 324: A Bill for an Act Entitled: "An Act to amend Section 2435, Revised Codes of Montana, 1921, relating to oleomargarine, cigarettes and warehouses."

Respectfully report and recommend as follows: That House Bill No. 324 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on State Lands having had under consideration House Bill No. 225: A Bill for an Act Entitled: "An Act to amend Section 2 of Chapter 108 of the Session Laws of the State of Montana of 1927, as amended by Chapter 193 of the Session Laws of the State of Montana of 1931, and also to amend Sections 6, 15 and 20 of said Chapter 108, all of said four sections relating to the leasing of State Lands for oil and gas development."

Respectfully report and recommend as follows: That House Bill No. 225 do pass.

METLEN, Chairman."

On motion by Metlen report adopted.

"Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 63: A Bill for an Act Entitled "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 1, Article 12, of the constitution of the State of Montana, relating to revenue and taxation; providing for the levy and collection by the state of taxes upon incomes and the distribution of said taxes to the public schools and the state and county governments."

Respectfully report and recommend as follows: That House Bill 1163 do not pass.

O'CONNELL Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We your Committee on Constitutional Amendments having had under consideration House Bill No. 147: A Bill for an Act Entitled "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12 of the constitution of the State of Montana, relating to revenue and taxation, adding thereto a new section, providing for the levy and collection by the state of taxes upon incomes and the distribution of said taxes to the public schools and to the state government."

Respectfully report and recommend as follows: That House Bill 1147 be amended to read as follows:

In Section 2, paragraph Section 1 (a), line 24, page 1, after the word "incomes" add "of persons, firms and corporations."

And as amended House Bill No. 147 do pass.

O'CONNELL Chairman."

On motion by O'Connell, report adopted.

Besancon: Move the House now adjourn until 9:30 o'clock tomorrow morning, February 17, 1933. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-SEVENTH DAY

House of Representatives,
Helena, Montana, February 17, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except Duffy.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 3, 288, 229 and 222.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Employment, having had under consideration the release of part time employees of the House, whose part time period of employment will elapse Saturday, February 18, 1933, mindful of the fact the present force of the House is larger than necessary"

der to transact the business of the House and mindful of the fact that the present force be not reduced the legislative expense will exceed the amounts appropriated therefor, and being desirous of acting in accord with the wishes of the House, respectfully request that the House instruct its committee in the matter of a policy to be followed in the release of employees.

PORTER, Chairman,
MILLER,
CUSKER,
O'CONNELL
ABRAHAMSON,
WAITE,
ROLL."

The Speaker: What disposition does the House desire to make of the report.

McCarvel: Move the report be laid on the table. Seconded. Carried.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 310: A Bill for an Act Entitled: "An Act relating to the issue of funding or refunding bonds by incorporated cities and towns, and amending Section 1 of Chapter 160 of the 1931 Session Laws of the State of Montana."

Respectfully report and recommend as follows: That House Bill No. 310 do pass.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 135: A Bill for an Act Entitled: "An Act to regulate the sale of, and to fix the standard grades for farm products; to provide for inspection, branding and labeling thereof; defining certain terms; conferring certain powers upon the Commissioner of Agriculture; and fixing certain penalties for the violation thereof, and declaring an emergency."

Respectfully report and recommend as follows: That House Bill No. 135 be amended as follows:

In Section 2, paragraph (b), lines 23 and 24, by eliminating the words "and hay";

In Section 3, line 3, by eliminating the words "and hay";

In Section 3, paragraph (b), line 7, by striking the words "sixty (60) days," and substituting in lieu thereof the words "thirty (30) days; and in line 8 by striking the word "three" (3) and substituting in lieu thereof the word "two (2)"; and in line 9, by striking the word "five (5)" and substituting in lieu thereof the word "three (3)";

In Section 4 by adding as follows, paragraph (3):

Provided further that potatoes graded over a two inch screen and grading seventy-five (75%) per cent. U. S. No. 1 and twenty-five (25%) U. S. No. 2, may be classified and sold as First Class Commercial grade";

By striking the entire Section 7; and that all subsequent sections be numbered accordingly:

In Section 10, line 18, after the word "himself" by striking the words "when made direct to consumer"; in Section 10, line 19, after the word "package," by striking the words "put up from branded packages"; and as so amended House Bill No. 135 do pass.

PORTER, Chairman."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Committee on Horticulture, having had under consideration House Bill No. 122: A Bill for an Act Entitled: "An Act defining, licensing and regulating dealers at wholesale as herein defined; defining the words "produce," "person," and "commissioner"; outlining the procedure to obtain a license; providing for the date of expiration of licenses, the amount, and the posting thereof; fixing the amount of bonds and defining the conditions thereof; providing for filing of commissions on schedules, the keeping of records and the report to shippers by dealers; providing for appeals from actions of the commissioner and how appeals may be taken; providing for handling money received from license fees; imposing certain duties and conferring certain powers upon the Commissioner of Agriculture and prescribing penalties for violation of this Act."

Respectfully report and recommend as follows: That House Bill No. 122 be amended as follows;

In Section 1, in lines 18 and 19, the following be eliminated; "and any person who shall engage in the business of assembling and trucking for resale, as herein defined," and that as so amended, House Bill No. 22 do pass.

PORTER, Chairman."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 253: A Bill for an Act Entitled; "An Act to amend Section 65 of Chapter 60 of the Laws of the State of Montana of 1927 as amended by Chapter 28 of the Laws of the State of Montana of 1929, relating to mineral reservations in State Lands, it being the purpose of this amendment to restore the said Section 65 to its original form." respectfully report and recommend as follows:

That H. B. No. 253 be amended as follows: That on page one, Section 65 line 26, after the words "royalty of" and before the word "of" the words one per centum (1%) be stricken out and insert in lieu thereof the words and figures "six and one fourth per centum (6¼ %)." That on page 2, line 1, after the word "purposes," insert the following; "provided that in all cases where state land adjoining or adjacent to the townsite of an incorporated city or town is sold, which said land has been platted into blocks and lots and does not exceed eighty (80) acres, the State Board of Land Commissioners shall not lease the same for oil and gas purposes without the written consent of the owner of the surface rights in the said land and of the city or town council." And that as so amended the same do pass.

METLEN, Chairman."

On motion by Waite, report adopted.

"Mr. Speaker; We, your Committee on State Lands, having had under consideration House Bill No. 301: A Bill for an Act Entitled: "An Act to amend Section 19 of Chapter 60 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, relating to the exchange of state lands, and providing that the State Board of Land Commissioners of the State of Montana may make trades or exchanges with any county or counties within the State of Montana for county land or real estate." Respectfully report and recommend as follows:

That H. B. No. 301 be amended to read as follows; That on page one, lines one to seven, (the full paragraph) be stricken out and the following be inserted in lieu thereof;

"The State Board of Land Commissioners of the State of Montana is hereby authorized to accept on behalf of the State of Montana title in fee simple to any land owned by a county in the State of Montana and to convey in exchange therefor state owned land of approximately the same

and of a value not higher than the land received from the county whenever such exchange will result in consolidating the state owned lands into more compact bodies." And that the bill so amended do pass.

METLEN, Chairman."

On motion by Waite, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration, House Bill No. 120, introduced by McCravel, by request; A Bill for an Act Entitled: "An Act to amend Section 443 of the Revised Codes of Montana, 1921, as amended by Chapter 8 of the Laws of the Twenty-second Legislative Assembly of the State of Montana, 1931, relating to the limitation of traveling or other expenses of public officers or employees attending conventions or meetings and the payment of membership fees and dues," respectfully report and recommend as follows:

That H. B. No. 120 be amended as follows: In line 24 after the word "employee" the entire clause shall be stricken: "whenever in the judgment of said Board public interest requires" and insert in lieu thereof; "whenever in the judgment of the Board an emergency exists and the public interest demands, which reasons are to be spread on the minutes of the Board of Examiners." And as so amended, the bill do pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker; We, your Committee on Highways, having had under consideration House Bill No. 321: A Bill for an Act Entitled: "An Act making it mandatory upon the State Highway Commission to perform all highway construction work within the State of Montana, directly under the supervision of the Highway Commission by employing all labor on a day labor basis," and providing further that the Highway Commission shall furnish all equipment and materials for the performance of said work, and providing a penalty and forfeiture for failure to carry out the provisions of this Act." Respectfully report and recommend as follows:

That H. B. No. 321 be printed and placed on General Orders without recommendation.

BREITENSTEIN, Chairman."

On motion by Breitenstein report adopted.

"Mr. Speaker; We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 265: A Bill for an Act Entitled: "An Act defining 'malt products' and imposing certain license fees and taxes on the sale of 'malt products' and fixing certain fees on the business of handling, receiving, selling, offering for sale, and dealing in, though sale, barter, or exchange of 'malt products' by any person, firm, association, joint stock company, syndicate, or corporation in this state, and to provide methods and penalties for the enforcement of the aforesaid tax and penalties and to appropriate and apportion the revenue derived from this tax to certain funds of the State of Montana, and repealing all Acts and parts of Acts in conflict herewith." Respectfully report and recommend as follows:

That H. B. No. 265 do not pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 211, introduced by Wigal and Watson of Missoula: A Bill for an Act Entitled: "An Act to authorize and provide for the consolidation and merging of the corporate exist-

ence and government of the county of Missoula, and all cities and towns therein into one municipal corporation and government under the corporate name 'City and County of Missoula,' giving it county status, defining the powers thereof and provide a commission-mayor plan and form of government therefore and for the submission of the question of the adoption of this act to the qualified electors of Missoula County." Respectfully report and recommend as follows:

That H. B. No. 211, do not pass.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 238: A Bill for an Act Entitled "An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaged in or carrying on the business of constructing, maintaining and operating telephone lines and telephone instruments within the State of Montana to pay license tax and providing penalties," respectfully report and recommend as follows:

That H. B. No. 238 be amended to read as follows: Amend by adding at the end of Section 1 the following: "Provided; the tax herein provided for shall not be imposed on any telephone instrument where the rate charged the customer therefor does not exceed \$2.00 per month for residence phone, or \$3.00 per month for business house or office phone, and that as so amended, bill do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Majority of Committee on Revenue and Taxation, having had under consideration House Bill No. 116: A Bill for an Act Entitled: "An Act to provide for a license tax to be paid by persons, firms, co-partnerships and corporations owning or operating hydro-electric power plants, hydro-electric light plants, or electric transmission line or any system for the distribution or sale of electricity generated by water power," respectfully report and recommend as follows:

That House Bill No. 116 do not pass.

ROGNLIEN, Chairman."

Rognlien: Move the report be adopted. Seconded.

Replogle: As a substitute motion, move that H. B. No. 116 be printed and placed on General Orders. Seconded.

Roll call was demanded, to be recorded in the Journal; the roll called resulted in the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Ballard, Besancon, Bjornel, Byrne, Chapman, Conner, Daugherty, Fowler, Freed, Green (Dawson), Haight, Hilger, Holecek, Kruse, Kuhl, Lewis, Lott, Love, Manning, Marshall, Miles, Miller (Big Horn), Nass, O'Shea, Parker (Flathead), Peterson, Pilgeram, Ragen, Replogle, Rolph, Setzer, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Whaley, Whitely. Total 43.

Noes: Abrahamson, Arnold, Beadle, Blankenbaker, Breitenstein, Campbell, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephen, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Knowles, Larsen, Logan, McCarvel, McDermott, McElwain, Mason, Metlen, Miller (Lincoln), Moss, Mulholland, Nelster, O'Connell, Parker (Broadwater), Porter, Quamme, Ralston, Reard (Cascade), Rognlien, Roll, Shannon, Somerville, Spangler, Stiefel, Sullivan, Waite, Watson (Meagher), Watson (Missoula), Wigal, Woodcock, Wood. Speaker. Total 52.

Absent and not voting: Duffy, Harlen, Nutting, Reardon (Deer Lodge), Schuster, Snidow. Total 6.

The Speaker: Forty-three have voted "aye", 52 have voted "no"; the motion is defeated.

The motion of Rognlien was thereupon put to vote, and carried.

MOTIONS AND RESOLUTIONS

Shannon: Move that House Bill No. 338 be printed and placed on General Orders at the head of the list. Seconded. Carried.

Breitenstein: Move that House Bills Nos. 203, 204, 205 and 206 be placed together on General Orders in numerical order. Seconded.

Haight: As a substitute motion, move that House Bills Nos. 203, 204, 205, and 206 be placed together in numerical order, at the head of the second column on General Orders. Seconded. Carried.

Byrne: Move the House reconsider its action on House Bill No. 304 in its report of the Committee of the Whole. Seconded. Carried.

Shannon: I desire at this time to call up my motion of yesterday, that the House reconsider its action on House Bill No. 184.

The motion was thereupon put to vote and defeated.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 280, a Bill for an Act entitled: "An Act to amend Section 1190 of the Revised Codes of Montana of 1921 as amended by Chapter 25 of the Session Laws of the Nineteenth Legislative Assembly of Montana, relating to contracts for supplying text-books," respectfully report and recommend as follows: That H. B. No. 280 do not pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 3, a resolution concerning the laws for the rural and elementary schools in the State of Montana and asking for a survey commission to be appointed by the State Board of Education, respectfully report and recommend: That House Joint Resolution No. 3 be amended as follows: In line 22, page 1, of the original resolution strike out the word "five" and inserting in lieu thereof the word "seven"; in line 31, page 1, of the original resolution strike out the period after the word "office" and insert in lieu thereof a comma and the following: "and the remaining two members of the commission shall be selected in accordance with the best judgment of the State Board of Education"; and when so amended do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 264, a Bill for an Act entitled: "An Act amending Section 1187 of the Revised Codes of Montana, 1921, relating to appointment of a State Text-book Commission, and providing for a Board of Commissioners from among the membership of the State Board of Education to constitute the State Text-book Commission," respectfully report and recommend as follows: That House Bill No. 264 do not pass, but that Substitute House Bill No. 264, a Bill for an Act entitled: "An Act to amend Sections 1187, 1188, 1195 and 1196 of Chapter 96 of the Revised Codes of Montana, 1921, relating to the appointment of a State Text-book Commission, the organization of said Commission, providing for the continued use of replaced books, providing penalty for using other than selected books," do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 239, introduced by Miles, a Bill for an Act entitled: "An Act to amend Section 247 of the Revised Codes of Montana 1921, relating to the establishing of County Boards of Health, the appointment, qualifications and compensation of county physicians," respectfully report and recommend as follows: That H. B. No. 239 do not pass.

DOE, Chairman."

Doe: Move the report be adopted. Seconded.

Miles: As a substitute motion, move that the bill be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Economy, having had under consideration House Bill No. 295, a Bill for an Act entitled: "An Act to amend Sections 4867 and 4873 of the Revised Codes of Montana, 1921, relating to the salaries of county officers and the compensation allowed deputies and assistants in the various counties in the state and amending Sections 4869, 4870 of the Revised Codes of Montana, 1921, and Section 4871 as amended by Chapter 85 of the Twenty-first Legislative Assembly, relating to County Superintendents of Schools," respectfully report and recommend as follows:

That House Bill No. 295 be amended as follows: Under Section 1, line 16, strike out the words and figures "forty-five thousand (45,000)" and insert in lieu thereof the words and figures "thirty-eight thousand (38,000)." Also under Section 1, page 2, under fourth class, strike out lines 14, 15, 16, 17, 18, 19 and 20 and insert in lieu thereof the following:

"Treasurer—Two thousand one hundred dollars;
 Sheriff—Two thousand one hundred and fifty dollars;
 Assessor—Two thousand one hundred dollars;
 Auditor—One thousand eight hundred seventy-five dollars;
 County Clerk—Two thousand one hundred dollars;
 Clerk of the District Court—Two thousand one hundred dollars;
 County Attorney—Two thousand one hundred dollars."

Also under Section 1, page 2, under fifth class, strike out lines 23, 24, 25, 26, 27 and 28 and insert in lieu thereof the following:

"Treasurer—Two thousand one hundred dollars;
 Sheriff—Two thousand one hundred and fifty dollars;
 Assessor—One thousand eight hundred and seventy-five dollars;
 Auditor—One thousand five hundred dollars;
 County Clerk—Two thousand one hundred dollars;
 Clerk of the District Court—Two thousand one hundred dollars;
 County Attorney—One thousand seven hundred and fifty dollars."

Also under Section 2, line 14, after the word "assistants" insert the following:

"Except in counties with a population of thirty-eight thousand (38,000) or over wherein the annual compensation or salary for service shall remain as heretofore under this section."

Also under Section 3, line 14, before the word "in" add the words, "except in counties with a population of thirty-eight thousand (38,000) or over, wherein the annual compensation or salary for services shall remain as heretofore under this section."

Also under Section 3, lines 16 and 17, strike out the words and figures "one thousand six hundred eighty dollars (\$1680.00)" and insert in lieu thereof the following: "One thousand seven hundred and fifty dollars (\$1750.00)."

Also under Section 4, line 24, strike out the words and figures "one thousand four hundred forty dollars (\$1440.00)" and insert in lieu thereof the following: "One thousand five hundred dollars (\$1500.00)."

Also under Section 5, line 31, strike out the words and figures "six hundred and sixty-six dollars (\$1666.00)" and insert in lieu thereof the following: "One thousand four hundred dollars (\$1400.00)," and that House Bill No. 295 as amended do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 96.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Allotment of Anticipated New Revenues, having considered possible net returns per year from these new revenues, which may amount to \$380,000, and having further considered the necessity of raising additional revenue to meet the requirements of interest on the proposed bond issue, amounting to \$180,000, and the further necessity of meeting tax delinquencies which may amount to \$120,000—a total of \$300,000, recommend: That all revenues derived from new income producing measures shall be allotted as follows:

Fifty (50%) per cent to the general fund;

Twenty-five (25%) per cent to the equalization fund; and,

Twenty-five (25%) per cent to the common school fund.

MARSHALL, Chairman.

WAITE,

SHANNON,

ROLPH,

BYRNE,

LOGAN.

Shannon: Move the adoption of the report. Seconded. Carried.

Besancon: Move the report be printed and placed on the desks of the members.

Haight: As a substitute for all pending motions, move that the report be typewritten and placed on the desks of the members. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following memorial was this day introduced, read first and second time and referred to committee:

H. J. M. No. 9, by Reardon and O'Connell: "A joint memorial to the United States Senate and House of Representatives requesting that Congress direct the Federal Trade Commission to investigate the financial structure of the American Telegraph and Telephone Company, to compel proper reductions on service rates in conformity with economic conditions; also to investigate the capital structure of the Mountain States Telephone Company and to grant relief to the users of its service in the State of Montana from wartime rates for service." Committee on Public Utilities and State Commissions.

The following bill was this day introduced, read first and second times and referred to committee:

H. B. No. 341, by Committee on Appropriations: A Bill for an Act entitled: "An Act to appropriate money from the general fund for the operation and maintenance of certain departments, boards and commissions for the year ending June 30, 1933, the appropriations made by the Twenty-second Legislative Assembly having been found to be insufficient." Committee on Appropriations.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the communications from the Senate be considered and read at length, and that the Journal so show. Seconded. Carried.

February 16, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 65, by Committee on State and County Economies.

S. B. No. 102, by Committee on State and County Economies.

S. B. No. 111, by Committee on Irrigation and Water Rights.

Senate Bill No. 112, by Holt, by request.

Respectfully,

J. F. CONE,
Secretary.

February 16, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the joint conference committee of the House and Senate, appointed to confer on Senate amendments to House Bill No. 9.

Respectfully,

J. F. CONE,
Secretary.

February 16, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 87 be indefinitely postponed.

That consideration of S. B. No. 162 be passed for the day.

That S. B. No. 187 be amended in Section 3 by striking out in line 1 and 4 the word "sun"; also in Section 6 by striking out in line 11 all the rest of the line after the word "provisions"; and as so amended, recommend said bill do pass.

That H. B. No. 13 be concurred in.

That consideration of Sub. for H. B. No. 27 be passed for the day.

That H. B. No. 32 be concurred in.

That H. B. No. 68 be concurred in.

That H. B. No. 84 be concurred in.

That H. B. No. 89 be concurred in.

That H. B. No. 94 be concurred in.

That H. B. No. 101 be concurred in.

That H. B. No. 34 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

February 16, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 204, by Husband and Kilduff, by request, was this day introduced without previous notice by unanimous consent of the Senate, read first and second time and referred to Committee on Judiciary: A

bill for an Act entitled: "An Act to amend Sections 9443 and 9444 of the Revised Codes of the State of Montana, of 1921, relating to the time of redemption and the interest to be paid on the judgment."

Respectfully,

J. F. CONE,
Secretary.

February 16, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senate standing committees this day reported as follows:

Committee on Mines and Mining: That H. B. No. 97 be amended in Section 1 by adding the words, "and machinery used in mining," after the words "reduction works," in line 47, page 2, printed bill; and by adding the following words and figures after the word, "made," in line 48, page 2, printed bill: "12. Actual cost of fire insurance and workmen's compensation insurance. 13. The amount of all taxes paid on the mine or mining claim and the operation thereof, and upon reduction works and machinery used in mining." Amend Section 2 of said bill by adding the words, "and machinery used in mining," after the words, "reduction works," in line 22, page 4, printed bill, and by adding the following words and figures after the word, "money," in line 27, page 4, printed bill: "7. All moneys expended for fire insurance and workmen's compensation insurance. 8. All moneys expended in payment of taxes on the mine or mining claim and the operation thereof, and upon reduction works and machinery used in mining," and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Public Lands: That S. B. No. 62, by Reed, be amended in Section 1 by striking out in line 3, printed bill, the word, "shall," and by inserting in lieu thereof the following words: "is hereby authorized and empowered in its discretion to"; be amended in Section 1 by striking out of line 6, printed bill, the following words and punctuation marks; "s, or shall be"; be amended by adding to Section 1 thereof the following: "Wherever deemed necessary a bond may be required for such amount as the board may fix and determine conditioned for the safeguarding of the rights of such purchaser or lessee and the rights of the state"; be amended by striking out all of Section 2 following the semi-colon in line 4, of the printed bill and by inserting in lieu thereof: "shall describe the land on which the prospecting is permitted in government sub-divisions in all not exceeding one (1) section; shall prescribe the minimum amount of prospecting and exploration work to be performed each year which shall be in an amount equivalent to one hundred dollars (\$100.00) and on the failure to perform such minimum amount of work shall operate as a forfeiture of such permit at the option of the State Board of Land Commissioners.

"The minimum annual prospecting fee shall be one (\$1.00) dollar for each forty (40) acre tract or part thereof under the permit, payable annually in advance.

"This permit shall not authorize the permittee to remove any of the ores, metals, precious stones, or other minerals from the land except for the purpose of testing or assaying same."

Amend Section 3 by striking out all of said section following the word "permit" in line 4, printed bill, and inserting in lieu thereof: "and submit satisfactory proof to the board to this effect, he shall have the preference right to a mining lease to such lands for the ores, metals, precious stones and other minerals discovered therein, for a period not exceeding twenty (20) years, and the minimum amount of development work to be performed each year of the lease shall be in an amount equivalent to one hundred (\$100.00) dollars. All such leases shall be on a royalty basis and the minimum royalty shall be three (3%) per centum of the values of the ores, metals, precious stones or other valuable minerals after mill and smelter treatment," and as so amended recommend said bill do pass. Report adopted.

Committee on Compensation: That H. B. No. 150 be concurred in. Report adopted.

Committee on Elections and Privileges: That S. B. No. 130 be reported back without recommendation. Report adopted.

Committee on Elections and Privileges: That S. B. No. 155 be reported back without recommendation. Report adopted.

Committee on Finance and Claims: That H. B. No. 111 be concurred in. Report adopted.

Committee on Mines and Mining: That S. B. No. 57 do not pass. Report adopted.

Committee on Sanitary Affairs: That H. B. No. 196 be concurred in. Report adopted.

Committee on Sanitary Affairs: That H. B. No. 95 be concurred in. Report adopted.

Committee on State Boards and Offices: That H. B. No. 85 be concurred in. Report adopted.

Committee on Stockgrowing and Grazing: That H. B. No. 148 be concurred in. Report adopted.

Committee on Counties and Towns: That H. B. No. 152 be concurred in. Report adopted.

Committee on Counties and Towns: That S. B. No. 185 do pass. Report adopted.

Committee on Counties and Towns: That S. B. No. 201 do pass. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

THIRD READING OF HOUSE BILLS

House Bill No. 3, introduced by Kruse, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Chapman, Conner, Cusker, Daugherty, Doran, Ecton, Ferry, Fowler, Freed, Freudenstein, Givens, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McDermott, McElwain, Manning, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rolph, Schuster, Setzer, Shannon, Somerville, Spangler, Stevens (Wheatland), Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 72.

Noes: Breitenstein, Campbell, Doe, Fitzstephens, Goodwin, Grabow, Groene (Fergus), Jensen, Larsen, McCarvel, Marshall, Metlen, Rearden (Cascade), Reardon (Deer Lodge), Roll, Snidow, Sparling, Stephens (McCone), Stiefel, Sullivan, Woodcock. Total 21.

Absent and not voting: Duffy, Findlater, Harlen, Nutting, Pierson, Rognlien, Waite, Watson (Meagher). Total 8.

The Speaker: Seventy-two have voted "aye," 21 have voted "no"; H. B. No. 3 has passed the House.

House Bill No. 288, introduced by Kruse, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin,

Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecsek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 90.

Noes: Rearden (Cascade). Total 1.

Absent and not voting: Duffy, Harlen, Larsen, Love, McElwain, Moss, Nutting, Pierson, Ralston, Strange. Total 10.

The Speaker: Ninety have voted "aye," 1 has voted "no"; H. B. No. 288 has been passed by the House.

House Bill No. 254, introduced by Committee on Townships and Counties, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecsek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nelstead, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 80.

Noes: Ferry, Knowles, Miller (Big Horn), Nass, O'Connell, O'Shea, Quamme, Stevens (Wheatland), Strange, Sullivan. Total 10.

Absent and not voting: Duffy, Freed, Groene (Fergus), Harlen, Moss, Nutting, Pierson, Ralston, Roll, Shannon, Spangler. Total 11.

The Speaker: Eighty have voted "aye," 10 have voted "no"; H. B. No. 254 has passed the House.

House Bill No. 229, introduced by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecsek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Besancon, Breitenstein, Duffy, Fowler, Freed, Groene (Fergus), Harlen, Moss, Nutting, Ralston, Roll, Shannon. Total 12.

The Speaker: Ninety have voted "aye," none have voted "no"; H. B. No. 229 has passed the House.

House Bill No. 222, introduced by Logan and Byrne by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campb, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Finstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Lev, Logan, Lott, Love, McCarvel, McDermott, Manning, McElwain, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelster, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pongeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Dodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snider, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Holecek, Miles, Watson (Meagher). Total 3.

Absent and not voting: Beadle, Chapman, Duffy, Freed, Groene (Fergus), Harlen, Metlen, Moss, Nutting, Ralston. Total 10.

The following "passed": Haight, Stevens (Wheatland), Strange. Total 3.

The Speaker: Eighty-five have voted "aye," 3 have voted "no"; B. No. 222 has passed the House.

The Speaker gave notice that he was about to sign House Bill No. 304 and thereupon signed the same in the presence of the House.

Byrne: Move that House Bill No. 304 be put on General Orders for amendment. Seconded. Carried.

Besancon: Move the House now recess until 1:30 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed, at 1:30 o'clock P. M.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the forty-fifth Legislative Day, find the same to be correct."
ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 283, 133, 207, and 184, beg leave to report that the same have this day been returned from the printer correctly printed."
SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 64, introduced by Blankenbaker,

A Bill for an Act Entitled: "An Act to reapportion the representation, of the various counties in the State of Montana, in the House of Representatives."

representatives, of the State of Montana according to the federal census of 1930, and to repeal Sections 44 and 45 of the Revised Codes of Montana of 1921." Respectfully report and recommend as follows:

That H. B. No. 64 do not pass.

BESANCON, Chairman."

On motion by Besancon, report adopted.

"Mr. Speaker: We, your Committee on Apportionment and Representation, having had under consideration House Bill No. 139, introduced by Blankenbaker and Moss: A Bill for an Act Entitled: "An Act to amend Sections 44 and 45 of the Revised Codes of Montana, 1921, relating to the apportionment of membership of House of Representatives, in accordance with the official census of 1930, creating representative districts and specifying the number of representatives from each district," respectfully report and recommend as follows:

That H. B. No. 139 be printed and placed on general orders without recommendation.

BESANCON, Chairman."

On motion by Besancon, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 335: A Bill for an Act Entitled; "An Act defining the offense of kidnaping and relating to the trial of same and the punishment therefor and to repeal of Sections 10970, 10971 and 10972 of the Revised Codes of Montana of 1921 in relation to kidnaping. respectfully report and recommend as follows:

That H. B. No. 335 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 221: A Bill for an Act Entitled: "An Act to amend Section 10651 of the Revised Codes of Montana of 1921, relating to depositions; providing for the physical examination of a party to an action when material; prescribing the terms and methods of such examination." Respectfully report and recommend as follows:

That H. B. No. 221 do pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 322, introduced by Strange: A Bill for an Act Entitled: "An Act to amend Section 2723 of the Revised Codes of Montana for 1921, relating to fees for inspection or examination of boilers; and repealing all Acts and parts of Acts in conflict herewith," respectfully report and recommend as follows:

That H. B. No. 322 do not pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 298, introduced by Committee on Economy: A Bill for an Act Entitled: "An Act transferring to the State Board of Equalization the duties and powers conferred upon the Public Service Commission of Montana by Chapter 109 of the Laws of the Twentieth Legislative Assembly relating to the licensing of dealers

in gasoline or other petroleum products, fixing standards and requiring accurate measuring devices for the sale thereof," respectfully report and recommend as follows:

That H. B. No. 298 do not pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Offices, having had under consideration House Bill No. 332, introduced by Hain, by request: A Bill for an Act Entitled: "An Act creating a State Narcotic Enforcement Department delegating the Attorney General ex-officio head of the Narcotic Enforcement Department, authorizing the appointment of investigators to carry out the provisions of this Act and providing regulations therefore and providing for an appropriation." Respectfully report and recommend as follows:

That H. B. No. 332 do not pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 341: A Bill for an Act Entitled: An Act to appropriate money from the general fund for the operation and maintenance of certain departments, boards and commissions for the year ending June 30, 1933, the appropriations made by the Twenty-second Legislative Assembly having been found to be insufficient." Respectfully report and recommend as follows:

That H. B. No. 341 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 340: A Bill for an Act Entitled: An Act transferring the surplus of certain moneys appropriated in House Bills No. 1 and No. 338 of the Twenty-second Legislative Assembly of the State of Montana, to supplement the appropriation contained in said bills for the payment of per diem to the officers and attaches of said Legislative Assembly and appropriating said surplus for that purpose." Respectfully report and recommend as follows:

That H. B. No. 340 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 278: A Bill for an Act Entitled: "An Act providing for a budget system for making and controlling estimates, expenditures and tax levies for district high school and county high school purposes; prescribing the powers and duties of boards of school district trustees and boards of trustees of county high schools, boards of school budget supervisors and county boards and officers in connection with the making of such budgets and such estimates, expenditures and tax levies; providing penalties for violations of the provisions of this Act and repealing Sections 86, 87, 88, 89, 90, 91, 92, 93 and 94 of Chapter 148 Act of the Twenty-second Legislative Assembly of the State of Montana." Respectfully report and recommend as follows:

That H. B. No. 278 be amended as follows:

1. Strike out of Section 13 all of the first paragraph commencing with the word "provided," in line 9 of such section, and ending with the words "budget board" in line 16, and insert in lieu thereof the following: "Provided, however, that in the event the Board of County Commissioners

shall reject any such budget in whole or in part it shall cause the reasons for its rejection to be spread upon its minutes and a copy thereof to be immediately furnished to the Chairman of the Board of Trustees which has submitted the budget, and provided further that no final action on said budget shall be taken by the said Board of County Commissioners until after a hearing thereon shall have been had, which hearing shall be held by the said Board of County Commissioners on the 4th Monday in July after said budgets shall have been submitted. At said hearing the Chairman of the Board of County Commissioners, or a member of that body appointed by him; the Chairman of the Board of Trustees of the district or county high school submitting such budget, or a member of the board appointed by him; and the County Superintendent of Schools shall constitute a Budget Board. This Budget Board shall have the power and it shall be its duty to consider such rejected budget and to arrive at a budget by a majority vote which shall not be subject to further review."

2. Amend Section 15 by striking out of line 1 the word "clerk" and inserting in lieu thereof the words "board of trustees," and by striking out of line 7 the words "clerk may" and insert in lieu thereof the words "board of trustees may direct the clerk to."

3. Amend Section 20 by changing, in line 3, the figure "7" to the figure "8", this amendment.

4. Amend Section 26 by changing, in the next to the last line, the word "ten" to "twenty-five" and the figures "\$110.00" to "\$125.00" and changing in the last line the figure "5" to the figure "11", this amendment being to correct a typographical error, and as so amended, bill do pass.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Public Safety, having had under consideration House Bill No. 255, introduced by Committee on Enemy: A Bill for an Act Entitled: "An Act abolishing the office of Safety Appliance Inspector and repealing Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly relating to the salary of Safety Appliance Inspectors." Respectfully report and recommend as follows:

That H. B. No. 255 do not pass.

PIERSON, Chairman."

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 326: A Bill for an Act Entitled; "An Act to provide for the construction of a reinforced concrete guard fence around a portion of Silver Lake situated in the county of Deer Lodge, and providing for the cost of said construction to be paid out of the funds of the State Highway Commission." Respectfully report and recommend as follows:

1. Amend the title by striking out in the title in the original bill the words "reinforced concrete", and inserting in lieu thereof the following words "steel wire cable."

2. Amend Section 1 by striking out in lines 8 and 9 of the original bill the words "reinforced concrete guard fence," and inserting in lieu thereof the following words: "Substantial steel wire cable guard fence with posts five feet apart and with two independent lines of cable."

3. Amend Section 2 by striking out in line 20 of the original bill the words "reinforced concrete" and inserting in lieu thereof the following words: "Steel wire cable."

4. Amend Section 3 by striking out in line 24 of the original the words "reinforced concrete," and inserting in lieu thereof the following words: "Steel wire cable."

And as amended, H. B. No. 326 do pass.

BREITENSTEIN, Chairman."

On motion by Breitenstein, report adopted.

"Mr. Speaker: We, your Committee on Judiciary having had under consideration House Joint Resolution No. 4: A Joint Resolution requesting the State Board of Equalization to prepare and present to the next Legislative Assembly a complete new tax code, covering the assessment and collection of all taxes including the taking of tax deeds when necessary, respectfully report and recommend as follows:

That H. J. R. No. 4 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 287; A Bill for an Act Entitled: "An Act to amend Sections 4147, 4148, 4152, 4155 and 4156 of the Revised Codes of Montana of 1921, relating to the regulations of auctioneers," respectfully report and recommend as follows:

That H. B. No. 287 do not pass.

GROENE, Chairman."

Groene: Move report be adopted. Seconded.

Watson (Meagher): As a substitute motion, move the bill be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 318: A Bill for an Act Entitled: "An Act declaring the 'processing and distributing' of gasoline and petroleum products a Public Utility Service Commission of Montana; compelling said commission to fix 'Montana freight differential or differentials' in the sale of products to foreign persons or corporations as against Montana residents providing penalties for violation of this Act," respectfully report and recommend as follows:

That H. B. No. 318 do not pass.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 262: A Bill for an Act Entitled: "An Act creating a commission to study the laws of Montana relating to the custody, care, protection and supervision of minors in the State of Montana; such commission to make reports to the Twenty-fourth Legislative Assembly; to propose bills for amendment or codification of such laws; providing for the organization and conduct of the work of such commission; appropriating moneys for the carrying on of such work and prescribing the methods of expenditure of such appropriation." Respectfully report and recommend as follows:

Amend the title by striking out in line 10 the word "Appropriation" and striking out all of lines 11 and 12 of the Title. Change the "semicolon" on line 10 following the word commission to a "period."

In Section 5 strike out after the word "salary" in line 7 all of this line. Strike out lines 8, 9, 10, 11, 12, 13 and 14.

Strike out all of Section 6.

Change Section 7 to read as Section 6, and Section 8 to read as Section 7, and Section 9 to read as Section 8, and Section 10 to read as Section 9.

And as so amended, the bill do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Bill No. 294: A Bill for an Act Entitled: An Act relating to revenue and taxation imposing an excise or license tax on retail merchants, as the words "retail merchants" are used in this act; providing for the collection of such tax; the distribution and use of the revenue derived therefrom; the administration of said law, fixing fines and penalties for the violation of this Act; declaring an emergency to exist, and repealing all laws in conflict with the provisions of this act," respectfully report and recommend as follows:

That H. B. No. 294 be amended to read as follows;

Amend by striking out in lines 27 and 28 of page one of the original bill the following: "gasoline stations dealing in gasoline and petroleum products only."

Amend page two, line 20 by striking out the period after the word "dollars" and inserting the following: "provided, however, that every retail merchant may deduct from the amount due under the provisions of this section the amount of taxes he paid on the store building used where the goods are retailed for sale and the tax paid on his stock of merchandise."

Amend by striking out in line 3, page 6 after the word "credited" the following words "to a fund to be used for the specific purpose of liquidating any indebtedness of the state." And insert in lieu thereof the following: "As follows; twenty-five per centum to the General Fund, twenty-five per centum to the Common School Interest and Income Fund and fifty per centum to the Common School Equalization Fund." And that as so amended, the bill do pass.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker; We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 110, introduced by Abrahamson: A Bill for an Act Entitled: "An Act to amend Section 2899 of the Revised Codes of the State of Montana, of 1921, relating to workmen's compensation," respectfully report and recommend as follows:

That H. B. No. 110 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 105, introduced by Holecek; A Bill for an Act Entitled; "An Act to amend Sections 3779, 3782 and 3783 of the Revised Codes of the State of Montana of 1921 and repealing Sections 3780, 3784, 3786, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 and Section 3787 of the Revised Codes of Montana of 1921 as amended by Chapter 90 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana of 1927, abolishing the Board of Railroad Commissioners of the State of Montana and providing

that the duties of said board shall be performed by the State Board Equalization of the State of Montana." Respectfully report and recommend as follows:

That H. B. No. 105 do not pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 182, introduced by Nuttin A Bill for an Act Entitled; "An Act to amend Section 2839 of the Revised Codes of Montana of 1921, authorizing injured workman, who has elected to come under the terms of the Workmen's Compensation Act, bring action against persons or corporations other than his employer, fellow servant for any damages sustained by such employee where his injuries are caused by the Act or omission of such person or corporation where the cause of such injury is not directly connected with his employment," respectfully report and recommend as follows:

That H. B. No. 182 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker; We, your Committee on State Boards and Officers having had under consideration House Bill No. 245, introduced by Pilgerer A Bill for an Act Entitled: "An Act to amend Section 145 of the Revised Codes of Montana of 1921, relating to fees of Secretary of State respectfully report and recommend as follows:

That H. B. No. 245 do not pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 108, introduced by Abrahamson: A Bill for an Act Entitled; "An Act to amend Section 2918 of the Revised Codes of the State of Montana of 1921, as amended by the Session Laws of 1929, relating to Workmen's Compensation," respectfully report and recommend as follows:

That H. B. No. 108 do not pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers having had under consideration House Bill No. 190, introduced by Committee on Economy: A Bill for an Act Entitled; "An Act to amend Section 187 of the Revised Codes of Montana, 1921, relating to quarterly reports by the State Treasurer to the Governor," respectfully report and recommend as follows:

That H. B. No. 190 do pass.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 120, introduced by Committee on Insurance by request of Insurance Department of the State of Montana: A Bill for an Act Entitled: "An Act to make a misdemeanor the issuing or circulating of illustrations, circulars, statements or memoranda of any sort by officers, directors, representatives or agents of insurance companies or societies doing business in the State of Montana, or by any other persons by which the terms, benefits or advantages of any policy issued by such

companies or any certificate of membership issued by any such society, or the making of any misleading estimate of the dividends or share of surplus to be received upon such policies or certificates or using any name or title to any policy, or class of policies, or certificates of membership, or class of such certificate, or making or issuing any written or oral statements misrepresenting or making incomplete comparisons or attempting to induce any persons to lapse, forfeit or surrender any policy or insurance or certificate of membership, or allow it to lapse for the purpose of replacing such policy or contract of insurance with another; also providing for the revocation by the commissioner of insurance of the certificate of authority issued to any corporation, society or agent for violation of any of the provisions of this Act; also repealing Section No. 6290 of the Revised Codes of Montana, and all Acts or parts of Acts in conflict herewith." Respectfully report and recommend as follows:

That H. B. No. 120 be concurred in.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 305: A Bill for an Act Entitled: An Act requiring every person, firm, co-partnership, association, joint stock company, syndicate, and corporation engaging in or carrying on the business of distributing natural gas within this state or conducting natural gas produced within this state through a pipe line to a point outside the state; to pay to the State Treasurer for engaging in carrying on such business certain license fees for the exclusive use and benefit of the State of Montana; fixing the amount of such license fees; prescribing a method for the assessment and collection thereof; and prescribing penalties for violations of the provisions of this Act." Respectfully report and recommend as follows:

That House Bill No. 305 do not pass.

ROGNLIEN, Chairman."

Metlen: Move the report be adopted. Seconded.

Fowler: As a substitute motion, move House Bill No. 305 be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Insurance having had under consideration House Bill No. 319, introduced by Committee on Insurance: A Bill for an Act Entitled "An Act to amend Section 6118 of the Revised Codes of Montana of 1921, relating to obtaining of license to transact insurance business all agents providing for filing of application for license and qualification of applicant; the filing of statement of company at time of termination of employment of an agent; providing for the suspension or revocation of licenses and providing for right of appeal from ruling of insurance commissioners." Respectfully report and recommend as follows;

That House Bill No. 319 do pass.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 185: A Bill for an Act Entitled: "An Act to submit to the electors of the State of Montana the question whether there shall be a convention to revise, alter or amend the Constitution of the State of Montana." Respectfully report and recommend as follows:

That House Bill No. 185 do pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

MOTIONS AND RESOLUTIONS

Haight: Move that House Bill No. 295 be taken from the Committee on Printing and re-referred to the Committee on Economy. Seconded. Carried.

Hon. R. J. Dunn of Gallatin was escorted to the rostrum and presented to the members of the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Moss in the Chair.

Committee arose.

House resumed. Mr. Sepaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill Nos. 338, 304, Sub. House Bill No. 113, Sub. House Bill No. 237, House Bills Nos. 241, 246, 274, respectfully report and recommend as follows:

That House Bill No. 338 be amended as follows: By striking out lines 16 and 17, the words and figures "sixteen thousand dollars (\$16,000)" and inserting in lieu thereof the words and figures "Twenty Thousand dollars (\$20,000)", and that as so amended, the bill do pass.

That House Bill No. 304 be amended as follows:

By adding Sections 2 and 3 as follows:

Section 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 3. This Act shall be in full force and effect from and after its passage and approval. And that as so amended, the bill do pass.

Recommend that Sub. House Bill No. 113 Enacting Clause be stricken.

That Sub. House Bill No. 237 be amended as follows:

By striking out line 23 in Section 1, thereof, and inserting in lieu thereof the following words: "Trailers and semi-trailers, over one thousand pounds and not over one ton, two dollars," and that as so amended the same do pass.

That House Bill No. 241 do pass.

That House Bill No. 246 do pass.

That House Bill No. 274 be amended as follows: Section 1, in line 2, after the word Montana, insert the words "excepting those engaged in agriculture," and as so amended the bill do pass.

MOSS, Chairman."

On motion of Moss, report adopted.

MOTIONS AND RESOLUTIONS

Pierson: Move that House Bill No. 187 be restored to the head of the list on General Orders. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following Bills correctly engrossed: House Bill No. 329 and House Bill No. 338.

ROLPH, Chairman."

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

House Bill No. 338, introduced by Committee on Appropriations; having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Bald, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Ecton, Ferry, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Knowles, Kruse, Kuhl, Lewis, Logan, McCarvel, McElwain, Marshall, Mason, Miles, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Holecek, Miller (Lincoln). Total 2.

Absent and not voting: Conner, Doran, Duffy, Findlater, Freed, Hight, Jensen, Larsen, Lott, Love, McDermott, Manning, Metlen, Nutting, Parker (Flathead), Pierson, Porter, Roll, Rolph, White. Total 20.

The Speaker: Seventy-nine having voted "aye", 2 having voted "no"; House Bill No. 338 has passed the House.

House Bill No. 329, introduced by Shannon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Bald, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Lowies, Kuhl, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes. None.

Absent and not voting: Byrne, Doran, Duffy, Fitzstephens, Freed, Givens, Kruse, Larsen, Lewis, Manning, Nutting, Parker (Flathead), Ralston, Rognlien, Roll, Watson (Meagher). Total 16.

The Speaker: Eighty-five have voted "aye", none have voted "no"; House Bill No. 329 has passed the House.

Mr. Speaker: The House will now recess for ten minutes.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Dairies and Dairying having had under consideration House Bill No. 216: A Bill for an Act Entitled: An Act to amend Section 2 of Chapter 182 of the Session Laws of the

Twenty-second Legislative Assembly of Montana for 1931 relating to deceit in weight, grade, measure or test in sale of milk or cream; and providing a penalty for violation." Respectfully report and recommend as follows:

That House Bill No. 216 do not pass.

But that Substitute House Bill No. 216: A Bill for an Act Entitled: "An Act to amend Chapter 182 of the Session Laws of the Twenty-second Legislative Assembly of Montana for 1931 relating to deceit in weight, grade, measure or test in sale of milk or cream; and providing a penalty for violation." Do pass.

BALLARD, Chairman."

On motion by Ballard, report adopted.

"Mr. Speaker: We, your Committee on Dairies and Dairying having had under consideration House Bill No. 227: A Bill for an Act Entitled: "An Act to amend Section 20 of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana, relating to location and construction of creameries and cheese factories and cream factories." Respectfully report and recommend as follows:

That House Bill No. 227 do not pass.

BALLARD, Chairman."

On motion by Ballard, report adopted.

"Mr. Speaker: We, your Committee on Dairies and Dairying having had under consideration House Bill No. 285: A Bill for an Act Entitled: "An Act regulating the sale of frozen desserts defining certain frozen products and fixing penalty for the violation hereof." Respectfully report and recommend as follows:

That House Bill No. 285 do not pass.

BALLARD, Chairman."

On motion by Ballard, report adopted.

"Mr. Speaker: We, your Committee on Dairies and Dairying having had under consideration House Bill No. 131; A Bill for an Act Entitled: "An Act to amend Section 4 of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly as amended by Chapter 39 of the Session Laws of the Twenty-Second Legislative Assembly of the State of Montana, defining certain dairy products and certain places of business and specifying the contents of butter, renovated butter, cheese, skim milk cheese, and various kinds of ice cream, and also defining the work person and department." Respectfully report and recommend as follows:

That House Bill No. 131 do pass.

BALLARD, Chairman."

On motion by Ballard, report adopted.

"Mr. Speaker: We, your Committee on Dairies and Dairying have had under consideration Senate Bill No. 47: A Bill for an Act Entitled: "An Act to amend Section 59, of Chapter 39, of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana of 1931 relating to the regulations covering the purchase of milk and cream for the manufacture of dairy products or for commercial sweet creams." Respectfully report and recommend as follows:

That Senate Bill No. 47 be concurred in.

BALLARD, Chairman."

On motion by Ballard, report adopted.

"Mr. Speaker: We, your Committee on Economy having had under consideration House Bill No. 295: A Bill for an Act Entitled: "An Act to amend Sections 4867 and 4873 of the Revised Codes of Montana, 1921

relating to the salaries of county officers and the compensation allowed deputies and assistants in the various counties in the State, and amending Sections 4869, 4870 of the Revised Codes of Montana, 1921 and Section 471 as amended by Chapter 85 of the Twenty-first Legislative Assembly relating to county superintendents of schools." Respectfully report and commend as follows:

That House Bill No. 295 be further amended as follows:

Under Section 4, line 22 of the original bill, page 6 after the word "fourth" strike out the comma and insert the following: "Class, two thousand dollars (\$2,000.00) and In." Also under Section 4, line 24 of the original bill, page 6 after the word "of" strike out the following words and figures "One thousand four hundred and forty dollars (\$1,440.00)" and in lieu thereof insert the following words and figures: "One thousand eight hundred dollars (\$1,800.00)." Under Section 5, line 31 of the original bill, page 6 strike out the words and figures "one thousand six hundred and sixty-six dollars (\$1666.00)" and insert in lieu thereof the following words and figures; "one thousand six hundred dollars (\$1600.00)."

And that House Bill No. 295 as further amended do pass.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Banks and Banking having had under consideration House Bill No. 173: A Bill for an Act Entitled: An Act to permit building and loan associations to issue permanent stock, stock in series, defining rights and liabilities of permanent stock with respect to other classes of stock, stipulating under what terms and conditions existing corporations may issue permanent stock, and repealing all Acts or parts of Acts in conflict therewith." Respectfully report and commend as follows:

That House Bill No. 173 be amended as follows:

Amend Section 1 by striking the period following the word "provided" line 21 and adding the following: "except that no loan can be made hereon by the association." Amend Section 2 by striking lines 28, 29 and inserting the following in lieu thereof: "on the same basis as other classes of stock. Such dividends, or any other distribution to permanent stock as herein provided for, may be retained in a special fund to be known as permanent stock surplus fund, the amount in said fund being entitled to dividend credits to the same extent as if an individual stock credit to a member; provided, however, that as to said fund the directors may, in their discretion, at any time distribute any part of said fund to the holders of permanent stock; provided, however, that the principal paid on permanent stock."

Amend Section 2 further by striking the period following the final word "stock" in line 8, page 2, and inserting a semi-colon in lieu thereof, and adding the following; "provided, however, that the amount of such distribution shall not exceed two per cent (2%) per annum on the total amount of loans outstanding up to Five Hundred Thousand Dollars (\$500,000) and thereafter the amount of such distribution shall not exceed one per cent (1%) of the total amount of loans outstanding."

Amend Section 4 by inserting after the word "shall" at the end of line 13, and before the word "have" in line 14, page 2, the following words: "with the approval and consent of the Superintendent of Banks."

Amend Section 7 by striking all of it and inserting the following in lieu thereof:

Section 7. In case the permanent stock fully paid up shall at any time be less than the minimum amount hereinbefore specified, the Superintendent of Banks shall be authorized to require the same to be replenished within thirty days notice to the Board of Directors of such Association, and on failure of such Association within said time to replenish said permanent stock, all of the rights and privileges given to the holders of per-

manent stock therein shall, as far as such Association is concerned, cease and the amount of said permanent stock, after all charge offs, standing to the credit of the members of said Association shall forthwith be and become ordinary paid up stock in such Association and entitled only to the rights afforded thereby under the by-laws of such Association."

And when so amended the bill be printed and placed on General Orders.

MILLER, Chairman."

On motion by Miller, report adopted.

Groene: Move call of the House.

Further call of the House dispensed with.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Moss in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows;

"Mr. Speaker; We, your Committee of the Whole, having had under consideration House Bill Nos. 187, 244 and 49, respectfully report and recommend as follows: That House Bill No. 187 be passed for the day, that the enacting clause be stricken from House Bill No. 244 and from House Bill No. 49.

MOSS, Chairman."

Moss; Move the adoption of the report. Seconded.

Daugherty: Move as a substitute, that House Bill No. 49 be segregated from the report of the Committee of the Whole. Seconded.

A roll call was demanded, which resulted in the following vote;

Ayes: Abrahamson, Acher, Anderson, Ballard, Beadle, Chapman, Cerner, Daugherty, Fowler, Freed, Givens, Green (Dawson), Haight, Harlan, Hilger, Holecek, Knowles, Kuhl, Lewis, Lott, Love, McElwain, Mann, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Roll, Rolph, Schuster, Snidow, Sparling, Stevens (Wheatland), Stranahan, Trenne, Ueland, Watson (Missoula), Whaley, White. Total 48.

Noes: Annin, Arnold, Balgord, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Kruse, Larsen, Logan, McCarvel, McDermott, Marshall, Mason, Melan, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Pierson, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Shannon, Somerville, Spangler, Stephens (McCone), Stiefel, Sullivan, Watson (Meagher), Wigal, Mr. Speaker. Total 46.

Absent and not voting; Blankenbaker, Cusker, Duffy, Nutting, Sizer, Waite. Total 6.

The following passed their vote; Woodcock. Total 1.

The Speaker; Forty-eight have voted "aye", 46 have voted "no"; the motion has carried.

Moss: Move the adoption of the report of the Committee of the Whole as amended. Seconded. Carried.

MOTIONS AND RESOLUTIONS

Marshall: Move that House Bill No. 49 be passed for the day. Seconded. Carried.

Woodcock: Move that House Bill No. 259 be passed for the day. Seconded. Carried.

Besancon: Move the House now recess until 8:00 o'clock this evening. Seconded. Carried.

EVENING SESSION

House resumed at 8:00 o'clock p. m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 4, "A Joint Memorial requesting Congress to refrain from a further invasion of sources of taxation heretofore enjoyed by the states and that the Congress balance its budget without further increase in the tax levies," respectfully report and recommend as follows: That House Joint Memorial No. 4 do pass and be passed on General Orders.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation having had under consideration House Bill No. 177: A Bill for an Act Entitled; "An Act relating to the valuation of railroad and public utility property for taxation purposes and providing that the value of the property of railroads and public utilities for taxation purposes shall not be less than the valuation submitted to the Public Service Commission or the Board of Railroad Commissioners for rate making purposes."

Respectfully report and recommend as follows; That House Bill No. 1 be amended as follows;

After Section 2, by inserting a new section to be known as Section "3", which shall read as follows:

"Section 3. Every railroad and public utility, whether it be a foreign or domestic corporation or organization, operating any properties whatsoever with the State of Montana, shall file with the Public Service Commission on or before March 1 of each year, a statement separate and apart from its annual statement, in such form as the Public Service Commission may prescribe, showing the value of its property used and useful for rate making purposes as of the date filed."

We recommend that Section 3 and 4 be numbered Section 4 and 5 respectively, and that the bill be reported out, without recommendation, and amended.

ROGNLIEN, Chairman."

Rognlien: Move the report be adopted. Seconded.

Fowler: As a substitute motion, move the Bill be printed and placed on General Orders. Seconded. Carried.

"Mr. Speaker; We, a majority of your Committee on Agriculture, having had under consideration House Bill No. 202: A Bill for an Act Entitled; "An Act relating to the regulation of dogs; to make it unlawful to knowingly own, harbor or keep any unlicensed dog or any dog which bites, wounds or injures livestock; and to provide a penalty for violation thereof."

Respectfully report and recommend that House Bill No. 202 be amended as follows:

Amend Section 1, line 16 by striking out the remainder of the line sixteen with the word "any" and line 17 up to and including the word "dog."

Amend Section 2, by re-writing Section 2 to read, as follows:

"Section 2. When it has been proven that a dog has killed, wounded, or injured any livestock, the owner of such dog shall be civilly liable to the owner of such livestock, in a civil suit for damages in a sum equal to the amount of the damages incurred.

And as amended do pass.

SNIDOW, Chairman.

On motion by Snidow, report adopted.

MOTIONS AND RESOLUTIONS

Watson of Meagher: Move that House Bill No. 220 be taken from the Committee on Appropriations, and printed and placed on General Orders. Seconded. Carried.

Somerville: Move that House Bills Nos. 203, 204, 205 and 206 be deferred until tomorrow. Seconded. Carried.

Fowler: Move that the Printing Committee be instructed to place H. B. No. 177 at the head of the list for printing. Seconded. Carried.

Mr. Speaker: House will now recess until 8:20 o'clock.

House resumed.

Mr. Speaker in the Chair.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move that the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Moss of Flathead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 181, H. B. No. 226, H. B. No. 260, H. J. No. 5, H. J. M. No. 6, H. J. R. No. 5, Sub. H. B. No. 271, H. B. 302, H. B. No. 284, H. B. No. 258, H. B. No. 266, H. B. No. 282, H. B. No. 269, H. B. No. 230.

Respectfully report and recommend as follows;

That H. B. No. 181 do pass.

That H. B. No. 226 do pass.

That H. B. No. 260 do pass.

That H. J. M. No. 5 do pass.

That H. J. M. No. 6 do pass.

That H. J. R. No. 5 be amended as follows; By striking out in line five, the word "ed," and inserting in lieu thereof the words "or let J. W." and as so amended do pass.

That Sub. H. B. No. 271 passed for the day.

That H. B. No. 302 do pass.

That H. B. No. 284 do pass.

That H. B. No. 258 do pass.

That H. B. No. 266 be amended by inserting a new Section as follows;

"All Acts and parts of Acts in conflict herewith are hereby repealed" And as so amended do pass.

That H. B. No. 282 do pass.

That H. B. No. 269 be amended as follows: In Section 5, by striking out in line six, the words and figures "twelve per centum (12%)" and inserting in lieu thereof the words and figures "eight per centum (8%)" and as so amended the bill do pass.

That H. B. No. 230 be passed for the day.

MOSS, Chairman."

On motion by Moss, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 189, 338, Sub. 189, 24, 292, 328, 161, 197, 293 and 27 beg leave to report that the same have this date been returned from the printer correctly printed."

SOMERVILLE, Chairman."

Without objection report adopted.

MOTIONS AND RESOLUTIONS

Byrne: Move the engrossing clerk be instructed to insert in House Bill No. 304, in line 16 on page 2 of the original bill, the following words; "the County Treasurer must remit to such bank or financial institution." Seconded. Carried.

Daugherty: Move that House Bill No. 49 be placed on third reading.

The Speaker: The Chair will rule that the motion is out of order as consideration of the Bill has been passed for the day.

CONSIDERATION OF GENERAL ORDERS

Besancon; Move the House now resolve itself into Committee of the Whole for consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Moss of Flathead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole having had under consideration House Bills No. 102, H. B. No. 178, H. B. No. 336, H. B. No. 201, H. B. No. 303, H. B. No. 309, H. B. No. 263, H. B. No. 240, H. B. No. 277, H. B. No. 233, Sub. H. B. No. 72, H. B. No. 134, Sub. H. B. No. 70, H. B. No. 99, H. B. No. 163, H. B. No. 41, respectfully report and recommend as follows:

That H. B. No. 102 do pass.

That H. B. No. 178 do pass.

That H. B. No. 336 do pass.

That H. B. No. 201 do pass.

That H. B. No. 303 do pass.

That from H. B. No. 309, the enacting clause be stricken.

That H. B. No. 263 be amended as follows; In Section 1, by striking out in line 9, the word "shall," and inserting in lieu thereof the words "deeded upon the property of any school district shall be deemed to constitute such school district a member of such mutual rural fire insurance company, nor shall any such contract of insurance"; and that as so amended the bill do pass.

That H. B. No. 240 do pass.

That H. B. No. 277 do pass.

That H. B. No. 233 be amended by adding a new section to be numbered Section 10, to read as follows: "All Acts and parts of Acts in conflict herewith are hereby repealed"; and that as so amended the bill do pass.

That Sub. H. B. No. 72 do pass.

That House Bill No. 134 do pass.

That Sub. H. B. No. 70 do pass.

That H. B. No. 99 do pass.
 That H. B. No. 163 do pass.
 That H. B. No. 41 do pass.

MOSS, Chairman."

On motion of Moss, report adopted.

Besancon: Move the House adjourn until 10:00 o'clock tomorrow morning, February 18, 1933. Seconded. Carried.

D. A. DELLWO,
 Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-EIGHTH DAY

House of Representatives,
 Helena, Montana, February 18, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

On roll call, all members present.

Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 46th Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 304, 241, 246 and 302.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, to whom were referred House Bills Nos. 166, 261 and 267 beg leave to report that the same have this date been returned from the printer correctly printed.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 121, introduced by Watson of Meagher: A Bill for an Act Entitled: "An Act providing for the submission to the qualified electors of the State of Montana an amendment to Section five Article XVI, granting the Board of County Commissioners the power to consolidate county offices, and providing the procedure for the consolidation of county offices."

Respectfully reported as follows: That House Bill No. 121 do pass

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration House Bill No. 299, introduced by Beasly and Setzer: A Bill for an Act Entitled: "An Act providing for the su-

mission to the qualified electors of the State of Montana of an amendment to Section 2 Article 12 of the Constitution of the State of Montana, relating to revenue and taxation; providing for exemption from taxation of the land instead as defined by law."

Respectfully report and recommend as follows: That House Bill No. 151, do not pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker; We, your Committee on Constitutional Amendments having had under consideration House Bill No. 155, introduced by Beadle, O'Connell, Mulholland, Freudenstein, Goodwin, McDermott: A Bill for an Act Entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section four (4) of Article eighteen (18) of the constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments."

Respectfully report and recommend as follows: That House Bill No. 151, do not pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, a majority of your Committee on Constitutional Amendments, having had under consideration House Bill No. 153, introduced by Lewis: A Bill for an Act Entitled: "An Act for the submission to the qualified electors of the State of Montana an amendment of Section 16, Article XII of the constitution of Montana relating to the assessment of property and the apportionment of taxes from railroads."

Respectfully report and recommend as follows: That House Bill No. 151 do not pass.

O'CONNELL,
DORAN,
PILGERAM,
WATSON (Meagher),
McDERMOTT,
HILGER,
FOWLER,
MANNING."

"Mr. Speaker; We, a minority of your Committee on Constitutional Amendments, having had under consideration House Bill No. 153: A Bill for an Act Entitled: "An Act for the submission to the qualified electors of the State of Montana an amendment of Section 16, Article XII of the Constitution of Montana relating to the assessment of property and the apportionment of taxes from railroads."

Respectfully report and recommend as follows: That House Bill No. 151 do not pass.

LEWIS,
SPARLING."

Lewis: Move the minority report be adopted. Seconded.

O'Connell: As a substitute motion, move the majority report be adopted. Seconded. Carried.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Senate Standing Committee, and bills are herewith returned to the House.

H. B. No. 156, by Committee on Education.

H. B. No. 168, by Committee on Labor.

H. B. No. 200, by Grabow.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move that further communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

Senate Bill No. 64, by Larson and Willis.

S. B. No. 113, by Holt, by request.

S. B. No. 124, by Reed.

S. B. No. 127, by Ekegren, Kilduff and Thien.

S. B. No. 128, by Angvick and Holt.

S. B. No. 161, by Kane.

S. B. No. 163, by Kane and Pauline.

S. B. No. 164, by Kelsey and Holton.

S. B. No. 167, by Committee on Irrigation and Water Rights.

S. J. M. No. 13, by MacGilvra.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on New Counties and Divisions: That S. B. No. 178 be returned without recommendation, report adopted.

Committee on Public Morals: That S. B. No. 179 be amended as follows: That all of lines five, Section 5, after the word "law" and all lines six, seven and eight be struck out, and as so amended, recommend that the bill do pass, report adopted.

Committee on Insurance: That S. B. No. 192 do pass, report adopted.

Committee on Insurance: That S. B. No. 203 do pass, report adopted.

Committee on Banks and Banking: That S. B. No. 96 be reported back without recommendation, report adopted.

Committee on Dairies and Dairying: That H. B. No. 215 be concurred in. Report adopted.

Committee on Fish and Game: That S. B. No. 45 do not pass, report adopted.

Committee on Fish and Game: That S. B. No. 148 do not pass, report adopted.

Committee on Fish and Game: That S. B. No. 200 do pass, report adopted.

Committee on Taxation: That S. B. No. 181 reported back without recommendation, report adopted.

Committee on Taxation: That S. B. No. 180 reported back without recommendation, report adopted.

Committee on Taxation: That S. B. No. 114, reported back without recommendation, report adopted.

Committee on State and County Economies: That S. B. No. 82 be amended as follows: In Section 2, page 4, of the original bill strike out all lines 17, 18, 19 and 20; on page 9, Section 17 of the original bill, strike out all of lines 27 to 32 inclusive; on page 10, Section 17 of the original

11 strike out all of lines 1 to 8 inclusive; on page 2, Section 2 of original bill strike out all of line 23 and insert in lieu thereof; "Twenty-five Hundred Dollars"; in line 15 page 4 of original bill strike out word "health" and insert in lieu thereof the word "hail"; in line 2, page 6 of original bill after the figures "1921" insert: "as amended by Chapter 40 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 165 of the Session Laws of the Twenty-first Legislative Assembly of 1929"; in Section 7, page 6 of original bill strike out all of lines 24, 25 and 26; in line 18 of page 10 in Section 18 of original bill strike out word "dollars" and insert in lieu thereof the words "six hundred dollars"; in Section 21, page 11 of original bill after the word "gent" strike out all of lines 27 to 32 inclusive and on page 12, Section 22 of original bill strike out lines 1 and 2; in Section 24 in line 14 on page 1 of original bill strike out words "one" and insert word "two", and so amended, recommend bill do pass, report adopted.

Committee on Fish and Game: That S. B. No. 144 be reported back without recommendation, report adopted.

Committee on Judiciary: That S. B. No. 100 do pass, adopted.

Committee on Judiciary: That S. B. No. 139 do not pass but that substitute for S. B. No. 139 do pass, report adopted.

Committee on Judiciary: S. B. No. 166 do pass, report adopted.

Committee on Judiciary: That S. B. No. 197 do pass, report adopted.

Committee on Judiciary: That S. B. No. 85 do not pass, report adopted.

Committee on Judiciary: That S. B. No. 84 do pass, report adopted.

Committee on Judiciary: That S. B. No. 122 do pass, report adopted.

Committee on Judiciary: That S. B. No. 190 do not pass, report adopted.

Committee on Judiciary: That S. B. No. 125 do pass, report adopted.

Committee on Judiciary: That S. B. No. 153 be reported back without recommendation, report adopted.

Committee on State Boards and Officers: That S. B. No. 40 do not pass, report adopted.

Committee on Education: That H. B. No. 103 be concurred in, report adopted.

Committee on Education: That H. B. 168 be not concurred in, report adopted.

Committee on Education: That H. B. No. 156 be not concurred in, report adopted.

Committee on Education: That S. B. No. 2 do not pass, report adopted.

Committee on Education: That S. B. No. 169 do not pass, report adopted.

Committee on Education: That S. B. No. 138 do not pass, report adopted.

Committee on Education: That S. B. No. 136 do not pass, report adopted.

Committee on Roads and Highways: That S. B. No. 145 do not pass, report adopted.

Committee on Counties and Towns: That H. B. No. 179 be concurred in report adopted.

Committee on Counties and Towns: That H. B. No. 200 be not concurred in, report adopted.

Committee on Judiciary: That S. B. No. 52 reported back without recommendation, report adopted.

Committee on Counties and Towns: That S. B. No. 165 be amended as follows: Insert in line 9 on page 2 of the typewritten bill after the word "to" and before the word "lower," the words "raise or" and as amended we recommend that said bill do pass.

Committee on State Boards and Offices: That S. B. No. 193 do pass, but that Substitute S. B. No. 193 do pass, report adopted.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day introduced in the Senate, read first and second time and referred to committees:

H. J. M. No. 7—Roads and Highways.

H. B. No. 145—Committee on Roads and Highways.

H. B. No. 146—Committee on Fish and Game.

H. B. No. 158—Committee on Judiciary.

H. B. No. 162—Committee on Judiciary.

H. B. No. 164—Committee on State and County Economies.

H. B. No. 165—Committee on Fish and Game.

H. B. No. 176—Committee on Taxation.

H. B. No. 188—Committee on Fish and Game.

H. B. No. 194—Committee on Labor and Capital.

H. B. No. 214—Committee on Finance and Claims.

H. B. No. 231—Committee on Judiciary.

H. B. No. 250—Committee on Roads and Highways.

H. B. No. 248—Committee on State and County Economies.

H. B. No. 252—Committee on State and County Economies.

H. B. No. 291—Committee on Finance and Claims.

H. B. No. 306—Committee on State and County Economies.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Groene: Move that House Bills Nos. 161 and 167 be deferred until tomorrow.

Motion withdrawn on understanding they will not be reached until this afternoon.

Mason: Move the House reconsider its action on House Bill No. 28. Seconded. Carried.

O'Connell: Move that House Bills Nos. 121 and 155, Constitutional Amendments be given preference in printing next to Revenue Measures. Seconded. Carried.

Replogle: Move the House now reconsider its action on Sub. H. B. No. 113. Seconded.

Love: Move the motion to reconsider be laid on the table. Seconded. Carried.

THIRD READING OF HOUSE BILLS

House Bill No. 304, introduced by Byrne, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beach, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Cerner, Cusker, Daugherty Doe, Doran, Ecton, Ferry, Findlater, Fitzstephen,

Fryer, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Gene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Arnold, Byrne, Duffy, Haight, Larsen, Metlen, Moss, Nelstead, Porter, Rognlien, Setzer, Shannon, Spangler, Sparling. Total 14.

The Speaker: Eighty-seven have voted "aye", none have voted "no"; Hise Bill No. 304 has passed the House.

House Bill No. 274, introduced by McDermott, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Campbell, Chapman, Daugherty, Doe, Doran, Ferry, Findlater, Fowler, Fred, Freudenstein, Goodwin, Hagerty, Harrington, Hilger, Holecek, Jensen, Knowles, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mulholland, Nelstead, O'Connell, O'Shea, Parker (Flathead), Pierson, Pilgeram, Ralston, Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Slinger, Stephens (McCone), Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Whaley, Wigal, Woodcock, Mr. Speaker. Total 53.

Noes: Abrahamson, Acher, Annin, Arnold, Balgord, Conner, Cusker, Eon, Fitzstephens, Givens, Grabow, Green (Dawson), Groene (Fergus), Helen, Kruse, Kuhl, Lewis, Logan, Lott, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nutting, Parker (Broadwater), Porter, Quamme, Ragen, Riden (Cascade), Somerville, Snidow, Stevens (Wheatland), Stiefel, Sange, Watson (Missoula). Total 35.

Absent and not voting: Breitenstein, Byrne, Duffy, Haight, Larsen, Mason, Metlen, Moss, Rognlien, Setzer, Shannon, Sparling. Total 12.

The following passed their vote: White. Total 1.

The Speaker: Fifty-three have voted "aye", 35 have voted "no"; Hise Bill No. 274 has passed the House.

House Bill No. 241, introduced by Goodwin, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Gen (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Sizer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: Conner, Acher. Total 2.

Absent and not voting: Byrne, Haight, Knowles, Love, Metlen, Miller (Big Horn), Moss, Ralston, Rognlien, Sparling. Total 10.

The Speaker: Eighty-nine have voted "aye", 2 have voted "no"; House Bill No. 241 has passed the House.

House Bill No. 246, introduced by Freed, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Harrington, Hilger, Holecek, Jensen, Kreger, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Rageram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Roll, Rolph, Schuster, Setzer, Shannon, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 77.

Noes: Acher, Annin, Breitenstein, Cusker, Findlater, Fitzstephens, Grabow, Groene (Fergus), Harlen, Larsen, Miller (Lincoln), Pierson, Replogle, Snidow, Somerville. Total 15.

Absent and not voting: Byrne, Doran, Duffy, Haight, Knowles, Metlen, Moss, Rognlien, Sparling. Total 9.

The Speaker: Seventy-seven have voted "aye", 15 have voted "no"; House Bill No. 246 has passed the House.

House Bill No. 302, introduced by Committee on Economy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kreger, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Rageram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Whaley, White, Wigal, Mr. Speaker. Total 81.

Noes: Nutting, Pierson, Replogle. Total 3.

Absent and not voting: Abrahamson, Arnold, Byrne, Duffy, Haight, Knowles, Metlen, Moss, Rognlien, Shannon, Sparling, Waite, Woodcock. Total 13.

The following passed their vote; McElwain, O'Connell, Watson (Meagher), Watson (Missoula). Total 4.

The Speaker: Eighty-one have voted "aye", 3 have voted "no"; House Bill No. 302 has passed the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 110: A Bill for an Act Entitled: "An Act to provide for the dissolution of irrigation districts, of assets and payment of indebtedness."

Respectfully report and recommend as follows: That Senate Bill No. 1 be amended as follows:

Amend Section 5 by adding the following:

The proceedings herein are declared to be for the general interest of the public and state. The hearing upon said petition shall be considered as an equitable action in rem. If the court shall consider, after hearing, that the plan proposed in the petition, is not in the public interest and will not promote public welfare or is unfair to bondholders or property holders or general creditors it may allow the petitioners to amend their petition and to submit a modified or different plan and hear the said amended petition and hear and dispose of objections to the same. The judgment may dissolve the district as a public corporation, transfer water rights appurtenant to lands, whether represented by shares of stock or otherwise, and divest the lien of bonds upon lands in the district.

Amend Section 6 by striking out all of Section 6 as it is now written and substituting the following:

Section 6. The court, in its decree, shall have the power to make the orders necessary to carry out said proposition for the discharge of the indebtedness and distribution of the property of said district, and may decree a sale of its assets in such manner as may effectuate said proposition and as the court may judge best, either in one lot or in such parcels as may be provided and may provide for conveyance of said irrigation system, including dams, reservoirs, canals, franchises, water rights and other property and also of any other assets of the district including lands sold there-to. The court, in its investigation and determination of said matter, may take into consideration the fact that payments have been made by certain of the water users in excess of other water users who have defaulted. Its decree the court may require that the purchaser of the assets may give consideration to various water users for payments theretofore made by them on the irrigation system.

That said Bill as amended be concurred in.

NUTTING, Chairman."

On motion by Nutting, report adopted.

"Mr. Speaker. We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 296: A Bill for an Act Entitled: "An Act to permit the withdrawal of lands from an irrigation district and the organization of the same into a separate district or the consolidation thereof with a different existing district, and repealing all Acts in conflict therewith."

Respectfully report and recommend as follows: That House Bill No. 29 do pass.

NUTTING, Chairman."

On motion by Nutting, report adopted.

GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Kruse of Garfield in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 207, 187 and 49, respectfully report and recommend as follows:

That House Bill No. 207 do pass.

That House Bill No. 187 be amended as follows; Section 1 by striking out in line 6 of the printed bill the two words "per annum," and as amended the bill do pass.

That House Bill No. 49 do pass.

KRUSE, Chairman."

Kruse: Move the report be adopted. Seconded.

Marshall: As a substitute motion, move that House Bill No. 49 be segregated from the report of the Committee of the Whole. Seconded.

A roll call was demanded, and that the "ayes" and "nays" be entered on the Journal. The roll call was taken and resulted in the following vote:

Ayes: Abrahamson, Annin, Arnold, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Doe, Doran, Duffy, Ecton, Findlater, Fitzstephens, Frandenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Larsen, Logan, McCarvel, McDermott, McElwain, Marshall, Mas, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Pierson, Pilgeram, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Shann, Snidow, Somerville, Spangler, Stephens (McCone), Stiefel, Sullivan, Watson (Meagher), Watson (Missoula), Wigal, Mr. Speaker. Total 49.

Noes: Acher, Anderson, Balgord, Ballard, Beadle, Blankenbaker, Chapman, Conner, Cusker, Daugherty, Fowler, Freed, Givens, Green (Dawson), Haight, Harlen, Hilger, Holecck, Knowles, Kuhl, Lewis, Lott, Love, Manning, Miles, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Porter, Quamme, Ralston, Replogle, Roll, Rolph, Schuster, Sparling, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Whaley, White. Total 48.

Absent and not voting: Setzer, Kruse. Total 2.

The following passed their vote; Ferry, Woodcock. Total 2.

The Speaker: Forty-nine have voted "aye", 48 have voted "no"; House Bill No. 49 is segregated from the report of the Committee of the Whole.

Besancon: Move the amended report of the Committee of the Whole be adopted. Seconded. Carried.

MOTIONS AND RESOLUTIONS

Beadle: Move that House Bill No. 49 be considered as correctly engrossed, and placed on third reading. Seconded.

Marshall: Move as a substitute motion that action on House Bill No. 49 be indefinitely postponed. Seconded.

Demand was made for a roll call, and that the "ayes" and "nays" be entered on the Journal. The roll call was taken, and resulted in the following vote:

Ayes: Abrahamson, Annin, Arnold, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Doe, Doran, Ecton, Findlater, Fitzstephens, Frandenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Larsen, Logan, McCarvel, McDermott, McElwain, Marshall, Mas, Metlen, Miller (Big Horn), Miller (Lincoln), Pierson, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Shannon, Somerville, Spangler, Stephens (McCone), Stiefel, Sullivan, Watson (Meagher), Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 46.

Noes: Acher, Anderson, Balgord, Ballard, Beadle, Bjorneby, Chapman, Conner, Cusker, Daugherty, Duffy, Fowler, Freed, Givens, Green (Dawson), Haight, Harlen, Hilger, Holecck, Knowles, Kuhl, Lewis, Lott, Love, Manning, Miles, Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Replogle, Roll, Rolph, Schuster, Snidow, Sparling, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Whaley, White. Total 52.

The following were absent and not voting: Kruse, Setzer. Total 2.

The following passed their vote: Ferry. Total 1.

The Speaker: Forty-six have voted "aye", 52 have voted "no"; the motion to postpone indefinitely has been defeated.

The motion that the bill be considered correctly engrossed and placed on third reading was thereupon put to vote and carried.

Haight: Move that the House be on order of Business No. 8. Without objection, so ordered.

THIRD READING OF HOUSE BILLS

A call of the House was demanded. On roll call all members present except Setzer and Kruse. Upon motion, further call of the House dispensed with.

House Bill No. 49, introduced by the Committee on Agriculture, having been read three several times, title and history agreed to, was passed on the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Beadle, Bjorneby, Blankenbaker, Chapman, Conner, Cusker, Daugherty, Fowler, Freed, Goodwin, Green (Dawson), Haight, Harlen, Hilger, Holecek, Knowles, Kuhl, Lewis, Litt, Love, Manning, Miles, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Gamme, Ralston, Replogle, Roll, Rolph, Schuster, Snidow, Sparling, Stevis (Wheatland), Strange, Trenne, Ueland, Waite, Whaley, White, Woodcock. Total 52.

Noes: Abrahamson, Annin, Arnold, Besancon, Breitenstein, Byrne, Campbell, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Larsen, Logan, McCarvel, McDermott, McElwain, Marshall, Mason, Mettler, Miller (Big Horn), Miller (Lincoln), Moss, Pierson, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Shannon, Somerville, Spangler Stephens (McCone), Stiefel, Sullivan, Watson (Meagher), Watson (Missoula), Wigal, Mr. Speaker. Total 47.

Absent and not voting: Kruse, Setzer. Total 2.

The Speaker: Fifty-two have voted "aye," 47 have voted "no," House Bill No. 49 has passed the House.

MOTIONS AND RESOLUTIONS

Haight: Move the House now reconsider its action on House Bill No. 49. Seconded.

Marshall: Move the motion to reconsider be laid on the table. Seconded. Division was called for, which resulted in a vote of 46 "ayes" and 49 "noes."

The Speaker: Forty-six have voted "aye", 49 have voted "no", the motion to lay on the table has been defeated.

The motion to reconsider was then put to vote, and defeated.

Annin: Move that the motion of this morning that the House reconsider its action on Sub. H. B. No. 113 be taken from the table. Seconded. Carried.

Haight: Move the House now recess until 2:00 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 2:00 o'clock p. m.

Mr. Speaker in the Chair.

The Chair desires to remind the members of a rule made early in the session that lobbying will not be permitted in the body of the House nor in the halls of the House, during sessions. The Sergeants-at-Arms have been instructed to conduct from the House any person found violating this rule.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: 210, 191, 147, 138, 234, 257, 4, 321, 208, 337, and H. J. R. 6 and H. B. 339 and 177.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having under consideration House Bill No. 331: A Bill for an Act Entitled: An Act to provide for the support of the government of Montana for the years 1933 and 1934."

Respectfully reported as follows: That House Bill No. 331 be amended as follows:

Section 1 of the original bill, line 16, after the word "tax" strike out the words and figures: "of two (2) mills" and insert in lieu thereof the following words and figures: "making a total levy of four and one-half (4½) mills" and in line 17, after the ",", insert the following: "which shall include the levy to cover the bond issue under House Bill No. 22" and in line 19, strike out the "." and insert in lieu thereof the following: ", and the University Millage Fund shall be three (3) mills, one-half (½) mill of which shall be used to retire the outstanding warrants in the University Millage Fund and one and one-half (1½) mills shall be for the State General Fund."

Section 3 of the original bill, line 26 after the word "tax" strike out the words and figures: "of two (2) mills" and insert in lieu thereof the following words and figures: "making a total levy of four and one-half (4½) mills" and in line 27 after the ",", insert the following: "which shall include the levy to cover the bond issue under House Bill No. 22" and in line 29, strike out the "." and insert in lieu thereof the following: ", and the University Millage Fund shall be three (3) mills, one half (½) mill of which shall be used to retire the outstanding warrants in the University Millage Fund and one and one half (1½) mills shall be for the State General Fund."

And that House Bill No. 331 as amended do pass.

ABRAHAMSON, Chairman."

On motion by Abrahamson, report adopted.

MOTIONS AND RESOLUTIONS

Annin: Move that Sub. H. B. No. 113 be placed on General Orders, and placed at the bottom of the list of revenue measures. Seconded.

O'Connell: Move that the motion be laid on the table. Seconded. Division was called for, and the motion was lost.

Fowler: As a substitute motion, move that Sub. H. B. No. 113 be made a special order of business for Monday afternoon at 2:00 p. m. Seconded. Defeated.

Motion that Sub. H. B. No. 113 be placed on General Orders at the bottom of the list of Revenue Measures was put to vote and carried.

Parker of Flathead: Move that H. B. No. 263 be taken from the Engrossing Committee and returned to General Orders. Seconded. Carried.

Roll, proceeding out of order, escorted Mrs. Dellwo to the Rostrum. A short musical program was given and a lovely basket of flowers presented to Mrs. Dellwo, in honor of the 19th wedding anniversary of Speaker Dellwo and Mrs. Dellwo.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 163, 240, 26, 282, 178, 102, 134 and 260, and H. J. R. No. 5.

ROLPH, Chairman."

Without objection, report adopted.

THIRD READING OF HOUSE BILLS

House Bill No. 163, introduced by Beadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 96.

Noes: None.

Absent and not voting: Daugherty, Duffy, Nass, Ragen, Somerville. Total 5.

The following "passed": Nelstead. Total 1.

The Speaker: Ninety-six have voted "aye", none have voted "no"; House Bill No. 163 has passed the House.

House Bill No. 240, introduced by Committee on Agriculture, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 95.

Noes: Rearden (Cascade), Replogle. Total 2.

Absent and not voting: Duffy, Groene (Fergus), Ragen, Somerville. Total 4.

The Speaker: Ninety-five have voted "aye", 2 have voted "no"; B. No. 240 has passed the House.

House Bill No. 282, introduced by Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beaman, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chaman, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowles, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holeccek, Jensen, Knowles, Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes: Miller (Big Horn). Total 1.

Absent and not voting: Arnold, Conner, Daugherty, Duffy, Larsen, Logan, Ragen, Replogle, Waite. Total Nine.

The Speaker: Ninety-one have voted "aye", 1 has voted "no"; H. No. 282, has passed the House.

House Bill No. 178, introduced by Parker of Flathead, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beaman, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chaman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holeccek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 96.

Noes; None.

Absent and not voting: Arnold, Duffy, Fowler, Larsen, Rolph, Tolson. Total 5.

The Speaker: Ninety-six have voted "aye", none have voted "no"; B. No. 178 has passed the House.

House Bill No. 102, introduced by Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beaman, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Ferry, Findlater, Fowles, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holeccek, Jensen,

ruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes: Fitzstephens, Knowles, Nass, Stiefel, Strange. Total 5.

Absent and not voting: Chapman, Duffy, Metlen. Total 3.

The following "passed": Ecton, Shannon. Total 2.

The Speaker; Ninety-one have voted "aye", 5 have voted "no"; H. No. 102 has passed the House.

House Bill No. 134, introduced by Pilgeram, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Moss, Mulholland, Nass, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Setzer, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Whaley, Wigal, Woodcock, Mr. Speaker. Total 69.

Noes: Arnold, Balgord, Byrne, Cusker, Findlater, Green (Dawson), Groene (Fergus), Kruse, Larsen, Lewis, Logan, Miller (Big Horn), Miller (Lincoln), Nelstead, Quamme, Rolph, Snidow, Watson (Meagher), Watson (Missoula), White. Total 20.

Absent and not voting: Doran, Duffy, Fowler, Metlen, O'Connell, Parker (Flathead), Porter, Replogle, Shannon, Spangler. Total 10.

The following passed their votes: Kuhl, Lott. Total 2.

The Speaker: Sixty-nine have voted "aye", 20 have voted "no"; H. No. 134 has passed the House.

House Bill No. 260, introduced by Annin, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes; Campbell, Jensen, Stevens (Wheatland). Total 3.

Absent and not voting; Duffy, Fowler, Metlen, Nutting, O'Connell, O'Shea, Shannon. Total 7.

The Speaker: Ninety-one have voted "aye", 3 have voted "no"; H. No. 260 has passed the House.

House Joint Resolution No. 5, introduced by Replogle, Holecek, Whi and Pilgeram.

"WHEREAS, in our anxiety to accomplish for our material bene we often overlook recording in the pages of history, events that shou be chronicled for our posterity, and

WHEREAS, the Great State of Montana on the 8th day of Novembe 1889, was duly admitted to the Union of the United States of Americ and,

WHEREAS, J. W. Skinner, State Commander of the Veterans Foreign Wars, but also pioneers living and residing in the State of Mo tana at the time of its admission to the Union, has caused the differe Posts throughout the State of Montana, of the Veterans of Foreign War to adopt a resolution as an expression of our love and reverence for t Great State of Montana and for the Great, Sturdy and Resolute Pioneers of the State of Montana, who made it possible for the State to become part of the Union to urge that the House of Representatives of the Twent third Legislative Assembly of the State of Montana, the Senate concurrin declare that the 8th day of November of each year shall be a legal ho day within the State of Montana, known and designated as Admission Da

WHEREAS, said organization of Veterans of Foreign Wars and t laudable purposes for which it stands has now and always will occupy tender place in the hearts of all our citizens, as a patriotic and worthy o ganization,

THEREFORE, BE IT RESOLVED, that we, the Members of t Twenty-third Legislative Assembly, join with the Veterans of Foreign Wars in their resolution, paying our respects to the pioneers of the Sta of Montana,

BE IT FURTHER RESOLVED, that the 8th day of November of ea year is hereby designated as Admission Day, and that the same be o served in a fitting manner by the people of our State in appreciation the regard and esteem we hold for the State of Montana and the Gre Pioneers who made it possible for Montana to be admitted to the Unio on November the 8th, 1889."

Having been read three several times, title and history agreed to, w passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Bead Besancon, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusi er, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowle Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagert Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewi Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marsha Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Ne stead, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Pi geram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (De Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somervill Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefe Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watsc (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: Bjorneby, Haight. Total 2.

Absent and not voting: Balgord, Byrne, Duffy, Groene (Fergus), La sen, Mason, Metlen, O'Connell, O'Shea, Ragen, Rolph, Shannon. Total 12.

The Speaker: Eighty-seven have voted "aye", 2 have voted "no" House Joint Resolution No. 5 has passed the House.

COMMUNICATIONS AND PETITIONS

The State of Wyoming
Office of the Secretary of State

Cheyenne, February 15, 1933.

House of Representatives,
Helena, Montana.

Gentlemen:

I have the honor to transmit herewith a certified copy of Original Senate Joint Memorial No. 1, of the Twenty-second Legislature of the State of Wyoming, in compliance with the provisions of said memorial.

Yours very truly,

(Signed)

C. J. ROGERS,
Deputy Secretary of State.

The above mentioned memorial referred to Committee on Federal Relations.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole, for consideration of General Orders, under the rules of the previous meetings. Seconded. Carried.

Kruse of Garfield in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker. We, your Committee of the Whole, having had under consideration House Bills Nos. 267, 161, 328, 283, 259, 203, 204, 205, 206, 271, 230, 122, respectfully report and recommend as follows:

That H. B. No. 267 do pass.

That H. B. No. 161 be amended as follows: In Section 1, by striking out in line 6 the words "four per centum" and inserting in lieu thereof the words "two per centum" and in Section 1, by striking out in line 15 the word "four" and inserting in lieu thereof the word "two"; and in Section 1, by striking out in line 21 the words and figures "Ten Dollars (\$10.00)" and inserting in lieu thereof the words and figures "Five Dollars (\$5.00)." In Sec. 2, by inserting in line 36, between the word "and" and the word "within," the word "paid"; in Sec. 16, by striking out in line 1 the words "twenty-five" and inserting in lieu thereof the word "fifty," and in line 3 of said section by striking out the word "fifty" and inserting in lieu thereof the words "twenty-five"; and that as so amended, the bill do pass.

That House Bill No. 328 be amended as follows: In Section 28, by striking out in line 1 the words "twenty-five" and inserting in lieu thereof the word "fifty" and by striking out in line 3 of said section the word "fifty" and inserting in lieu thereof the words "twenty-five"; and as so amended the bill do pass.

That House Bill No. 283 be amended as follows: Section 2 by adding new sub-section to be known as No. 10 which shall read as follows: 10. Securities of corporations organized under the laws of Montana with capitalization of common stock only. Such capitalization not to exceed \$100,000.00 and to be sold only within the county where the principal place of business is located"; and as so amended the bill do pass.

That House Bill No. 259 be amended as follows: In Section 1, by striking out in lines 3 and 4, the words "Whether meandered or not meandered." In Section 2, line 3, strike out the words "sloughs, bayous, and marsh outlets whether meandered or non-meandered," and in line 4 strike

out the words "for any purpose whatsoever." In Section 3, line 3, strike out the word "highways" and insert in lieu thereof the word "water"; and that as so amended the bill do pass.

That House Bills Nos. 203, 204, 205 and 206 be passed for the day.

That Substitute House Bill No. 271 do pass.

That House Bill No. 230 the enacting clause be stricken.

That House Bill No. 122 be passed for the day.

KRUSE, Chairman."

Kruse: Move the adoption of the report. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 237 and 271.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: Substitute House Bill No. 70.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: House Bills Nos. 262, 253, 139, 340, 239, 301, 341, 120, 238, Substitute House Bills Nos. 264, 183, 127.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Dairies and Dairying, having had under consideration Senate Bill No. 13, a minority report, a Bill for an Act entitled: "An Act to promote the development of the Montana egg industry; to prohibit the sale of eggs unfit for human food; to prevent deception in the sale of eggs; and to encourage greater consumption thereof by regulating and standardizing the grading, classification and labeling of all eggs displayed for sale; providing penalties for the violation of the provisions of this Act; and repealing Chapter 189 of the Session Laws of the Twenty-second Legislative Assembly and all Acts and parts of Acts in conflict herewith," respectfully report and recommend as follows: That Senate Bill No. 13 be concurred in.

CONNER,
SCHUSTER,
O'SHEA,
ANDERSON."

"Mr. Speaker: We, a majority of your Committee on Dairies and Dairying, having had under consideration Senate Bill No. 13, a Bill for an Act entitled: "An Act to promote the development of the Montana egg industry; to prohibit the sale of eggs unfit for human food; to prevent deception in the sale of eggs; and to encourage greater consumption thereof by regulating and standardizing the grading, classification and labeling of all eggs displayed for sale; providing penalties for the violation of the provisions of this Act; and repealing Chapter 189 of the Session Laws of the Twenty-second Legislative Assembly and all Acts and parts of Acts in conflict herewith," respectfully report and recommend as follows:

That Senate Bill No. 13 be not concurred in, but that Substitute House Bill for Senate Bill No. 13, a Bill for an Act entitled: "An Act to amend chapter 189 of the Session Laws of 1931; an Act to promote the development of the Montana egg industry, to prohibit the sale of eggs unfit for human food; to prevent deception in the sale of eggs and to encourage greater consumption thereof, by regulating and standardizing the grading, classification and labeling of all eggs displayed for sale; providing penalties for the violation of the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith."

BALLARD, Chairman.
PARKER (Broadwater),
ECTON,
ROLPH,
PARKER (Flathead),
ANNIN,
MULHOLLAND."

Ballard: Move the adoption of the majority report. Seconded.

Conner: As a substitute motion, move the adoption of the minority report. Seconded. Carried.

MOTIONS AND RESOLUTIONS

Shannon: Move that the Employment Committee may, at its discretion, dispense with the services of employees and have the authority to hire or discharge anyone. Seconded. Defeated.

Annin: Move that the report of the Committee on Employment, laid on the table yesterday, be taken from the table. Seconded. Carried.

Annin: Move the Employment Committee be instructed that all part time and full time employees be put on full time.

Groene: As a substitute motion, move that the report of the Committee on Employment be adopted. Seconded.

Holecek: Move, as a substitute for all pending motions, that the Employment Committee be instructed to discharge all unnecessary employees. Carried.

Shannon: Move, as a substitute motion, that the Employment Committee cut their pay roll to conform to the appropriation bill that was passed through the House. Seconded.

McElwain: As a substitute for all pending motions, move that the names of the employees from all counties be placed on the desks of the members and that the motion of the gentleman from Sanders be postponed until tomorrow. Seconded. Carried.

Parker of Flathead: Move that House Bill No. 243 be taken from the committee on Appropriations, printed and placed on General Orders. Seconded. Defeated.

Besancon: Move the House now adjourn until 1:00 o'clock tomorrow afternoon. Seconded. Carried.

D. A. DELLWO,
Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

FORTY-NINTH DAY

House of Representatives,
Helena, Montana, February 19, 1933.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-seventh Legislative Day, find the same to be correct."
ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 277, 3, 284, 41, 201, 233, 99, 187, 181, 258 and 269 and Sub. H. B. No. 72 and House Joint Memorials Nos. 5 and 6.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill be considered as correctly engrossed: H. B. No. 3.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: 190, 202, 287, 305, 294, 173, 335, 0, 278, 185, 182, 221, 326, 220 and 216.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 323, introduced by Rals, a Bill for an Act entitled: "An Act to amend Sections 2819, 2823, 2827, 2830 of the Revised Codes of Montana of 1921, providing for members of the Industrial Accident Board; no additional salary of board members; appointment of secretary of board and salary of secretary, and manner of payment of salary," respectfully report and recommend as follows: That House Bill No. 323 do not pass.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, Montana, February 18, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 87, by Judiciary Committee, was this day recommended for non-concurrence, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 18, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

Senate Bill No. 82, by Kane and Pauline.

Senate Bill No. 143, by Kane and Pauline.

Senate Bill No. 158, by Committee on Irrigation and Water Rights.
Senate Bill No. 187, by Fish and Game Committee.
Senate Bill No. 201, by MacGillvra.
Senate Joint Resolution No. 5, by Committee on Federal Relations.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 18, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bills were this day introduced in the Senate, and first and second time, and referred to committees:

House Bill No. 3—State Boards and Offices.
House Bill No. 222—Oils and Leases.
House Bill No. 229—Judiciary.
House Bill No. 254—Counties and Towns.
House Bill No. 288—Judiciary.
House Bill No. 329—Taxation.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 18, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senate standing committees this day reported as follows:

Committee on Compensation: That Senate Bill No. 80 be reported back without recommendation.

Committee on Compensation: That Senate Bill No. 137 do pass. Report adopted.

Committee on Compensation: That Senate Bill No. 183 do pass. Report adopted.

Committee on Corporations Other Than Municipal: That House Bill No. 62 be amended by striking out in line 8, printed bill, after the word "and," lines 8 and 9 and first six words in line 10, and by inserting in lieu thereof the words: "or such collateral security or indemnity as may be deemed sufficient by the State Board of Equalization, but in no case more than estimated amount of gasoline taxes for two successive months"; and be further amended by striking out in line 12 thereof, after the word, "application," the words, "and bond"; and as so amended, recommend that it be concurred in. Report adopted.

Committee on Dairies and Dairying: That Senate Bill No. 194 do not pass. Report adopted.

Committee on Education: That House Bill No. 31 be amended on page 1, line 23, by striking out the words, "which is nearest to the pupil's residence"; and striking out lines 24 and 25 and inserting in lieu thereof, "located in said district and which is nearest or most accessible to the pupil's residence. If said district which maintains the accredited high school nearest or most accessible to the pupil's residence does not furnish transportation or rent of quarters, then any other school within the county which maintains an accredited high school may furnish such transportation or rent of quarters," and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Finance and Claims: That Senate Bill No. 150 be reported back without recommendation.

Committee on Finance and Claims: That Senate Bill No. 189 do pass. Report adopted.

Committee on Fish and Game: That House Bill No. 146 be concurred in. Report adopted.

Committee on Fish and game: That House Bill No. 165 be amended by inserting after the word, "petitioned" in line 10, page 2, engrossed by the following: "by a majority of the land owners affected," and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Fish and Game: That House Bill No. 188 be concurred in. Report adopted.

Committee on Judiciary:

That Senate Bill No. 83 do not pass.

That Senate Bill No. 172 do pass.

That Senate Bill No. 204 do not pass.

That Senate Bill No. 159 do not pass.

Reports adopted.

Committee on Judiciary: That Senate Bill No. 154 do not pass. Report adopted.

Committee on Judiciary: That Senate Bill No. 182 be amended by inserting after the words, "Be it enacted by the Legislative Assembly of the State of Montana," in line 7, the following: "Section 1. That Section 4462 of the Revised Codes of Montana, 1921, as amended by Chapter 35 of the Twenty-first Legislative Assembly be, and the same is hereby amended to read as follows:" and be further amended by striking out in line 8 the figure "1" and inserting in lieu thereof the figures "4462," and that the following sections be renumbered to conform; and as so amended, recommend said bill do pass. Report adopted.

Committee on Corporations Other Than Municipal: That House Bill No. 87 be concurred in. Report adopted.

Committee on Judiciary: That Senate Bill No. 73 be amended by striking out all of Section 1 beginning with the word "shall" in line 1, page 1, and ending with the word, "imprisonment" in line 28, page 1, and inserting in lieu thereof the following: "if such sale, removal or concealment be made with intent to deprive the vendor of his claim to said property or interest therein, shall be guilty of larceny, and shall be punished in the same manner and to the same extent as for larceny of property removed, concealed or disposed of"; and as so amended, recommend said bill do pass. Report adopted.

Committee on Judiciary: That Senate Bill No. 176 be amended by striking out the title by striking out the period in line 15 of the original bill and inserting in lieu thereof a semicolon, and adding the following: "and providing for the submission to the qualified electors of the State of Montana at the next general or special election the question of amending the direct primary law, to provide for the nomination of state and national officers by political conventions, except District Judges, Justices of the Supreme Court and Presidential Electors, and to prescribe the form of ballots to be used and the duties of the Secretary of State relative to the submission of said question to the qualified electors of the state."

Further amend by striking out Section 11 and substituting in lieu thereof the following sections to be known and read as follows:

"Section 11. This Act shall be submitted to the people of the State of Montana for their approval or rejection at the next election to be held in the State of Montana, whether such election be a special election or general election provided by law in accord with Article V, Section 1, of the Constitution of the State of Montana. Separate ballots shall be used at such special or general election which shall have printed thereon the title of this bill and the words:

☐ For the Referendum Measure No.....

And to provide for the amendment of the direct primary law and to provide for the nomination of state and national officers by political conventions, except District Judges, Justices of the Supreme Court and Presidential Electors.

☐ Against the Referendum Measure No.....

And to provide for the amendment of the direct primary law and to provide for the nomination of state and national officers by political conventions, except District Judges, Justices of the Supreme Court and Presidential Electors"; and each of the electors shall designate a preference for either of the provisions by making an "X" before the proposition for which such elector desires to vote. The votes cast for and against the now proposed shall be canvassed and determined as provided by the general election laws of the State of Montana.

"Section 12. All Acts and parts of Acts in conflict herewith are hereby repealed.

"Section 13. This Act shall be in full force and effect from and after its passage; provided the same shall be ratified by a majority vote of the electors of the State of Montana voting at the next election in the State of Montana."

And as so amended, recommend that said bill do pass. Report adopted.

Committee on Labor and Capital: That House Bill No. 194 be concurred in. Report adopted.

Committee on State Boards and Offices: That House Bill No. 3 be concurred in. Report adopted.

Committee on Judiciary: That Senate Joint Memorial No. 14 do pass. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 18, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That Senate Joint Resolution No. 5 do pass.

That Senate Bill No. 62 be amended in Section 1 by striking out of the committee amendment the words, "is, or shall be," in line 6 of said section; by striking out the committee amendment in Section 2 and inserting in lieu thereof, after the word, "permitted," in line 5, printed bill, the words, "in government subdivisions"; by striking out all of the committee amendments in Section 3; and as so amended, recommend said bill do pass.

That consideration of Senate Bill No. 185 be passed for the day.

That Senate Bill No. 82 do pass.

That Senate Bill No. 162 be amended in Section 1 by striking out in line 9 after the figure "87," all the rest of said line and lines 10, 11 and 12, down to and including the word, "manner," and inserting therein the following: "provided, however, that the special county tax for high school purposes shall not exceed seven (7) mills, except in counties where the even (7) mill levy will not bring in one hundred twenty-five dollars (\$125.00) per high school student. In such case the levy shall not exceed the rate which will bring in an amount equal to one hundred twenty-five dollars (\$125.00) per high school student multiplied by the total number of students who are residents of the county and who were enrolled and

in regular attendance in the high schools of the county for twenty (20) days or more during the year next preceding but in no case is the maximum levy to exceed ten (10) mills. The proceeds of said special tax shall be apportioned in December and June of each year by the county superintendent of schools amongst the county high school and/or district high schools in the following manner."

That said bill be further amended in Section 1 by striking out all said section after the word, "manner," in line 12 of the printed bill and inserting in lieu thereof the following: "Each high school shall share the amount collected in the proportion which the amount of the maximum budget each such high school might adopt under Section 87 of this Act bears to the total amount of the maximum budgets which all of such high schools might adopt under said section"; and as so amended, recommend said bill do pass.

That Senate Bill No. 198 be amended in Section 2 by striking out lines 6 and 7 the words, "held as provided in Section 531 of the Revised Codes of Montana, 1921, not more than 90 days," and inserting in lieu thereof the words, "or primary nominating election held throughout the state"; be further amended in Section 2 by striking out in line 8 the word "general," and inserting in lieu thereof the word "special," and also inserting after the word, "Governor," in line 8 the words, "at his discretion" and striking out in line 9 the words, "not less than 90 days"; be further amended in Section 8 by striking out in line 3 the words, "disbursement for the foregoing purposes," and all of lines 4, 5 and 6; and as so amended recommend said bill do pass.

That Senate Bill No. 158 do pass.

That Senate Bill No. 201 do pass.

Respectfully,

J. F. CONE,
Secretary.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that the House reconsider its action on Senate Bill No. 13 and Substitute Senate Bill No. 13 taken yesterday. Seconded. Carried.

Besancon: Move that Senate Bill No. 13 and Substitute Senate Bill No. 13 be re-referred to the Committee on Dairying. Seconded. Carried.

Replogle: Move that House Bill No. 160 be taken from the Committee on Military Affairs, and placed on General Orders. Seconded. De-feated.

Nelstead: Move that Substitute House Bill No. 25 be taken from the Committee on Revenue and Taxation and placed on General Orders. Seconded. Carried.

Moss: Move that House Bill No. 339 be placed at the bottom of the second column on General Orders. Seconded.

Besancon: I rise to point of order; that is a revenue measure, and the action of the House must go at the head of General Orders.

Besancon: As a substitute motion, move that House Bill No. 339 be made a special order of business at the convening of the House tomorrow morning. Seconded. Carried.

Fowler: Move that Substitute House Bill No. 25 be placed immediately after House Bill No. 331 on General Orders. Seconded. Carried.

Groene: Move that House Bill No. 305 be passed for the day. Seconded. Carried.

Fitzstephens of Gallatin excused.

THIRD READING OF HOUSE BILLS

Sub. H. B. No. 237, introduced by O'Connell, Mulholland, Freudenstein, Doran, Goodwin, McDermott, Harrington, Ferry, Beadle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 93.

Noes: Miller (Lincoln). Total 1.

Absent and not voting: Hilger, Lott, McDermott, Pierson, Roll, Shannon, Somerville. Total 7.

The Speaker: Ninety-three have voted "aye," 1 has voted "no"; H. B. No. 237 has passed the House.

House Bill No. 207, introduced by Committee on State Lands, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 93.

Noes: None.

Absent and not voting: Conner, Doran, Fitzstephens, Miller (Lincoln), Shannon, Spangler, Sullivan. Total 7.

The following "passed": Mr. Speaker. Total 1.

The Speaker: Ninety-three have voted "aye," none have voted "no"; H. B. No. 207 has passed the House.

Sub. House Bill No. 70, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting,

O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pi-geram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Doran, Fitzstephens, Freed, Knowles, Shannon, Spangler, Sullivan. Total 6.

The following "passed": Reardon (Deer Lodge). Total 1.

The Speaker: Ninety-four have voted "aye," none have voted "no." Sub. H. B. No. 70 has passed the House.

House Bill No. 336, introduced by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadler, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Beadle, Reardon (Deer Lodge), Replogle. Total 3.

Absent and not voting: Doran, Ferry, Fitzstephens, Freed, Jensen, Knowles, Manning, Shannon, Spangler, Sullivan. Total 10.

The following "passed": McElwain, Marshall. Total 2.

The Speaker: Eighty-six have voted "aye," 3 have voted "no"; H. B. No. 336 has passed the House.

House Bill No. 277, introduced by Metlen and Waite, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadler, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pi-geram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Doran, Fitzstephens, Freed, Jensen, Moss, Rolph, Shannon, Somerville, Spangler, Strange, Sullivan, Watson (Meagher). Total 12.

The Speaker: Eighty-nine have voted "aye," none have voted "no." H. B. No. 277 has passed the House.

House Bill No. 303, introduced by Beadle, Kruse, Mulholland, Freudenstein, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beaman, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 83.

Noes: Groene (Fergus). Total 1.

Absent and not voting: Arnold, Chapman, Doran, Fitzstephens, Freed, Hansen, Larsen, Manning, Miller (Lincoln), Nutting, Porter, Rolph, Shannon, Spangler, Sullivan, Waite, Watson (Meagher). Total 17.

The Speaker: Eighty-three have voted "aye," 1 has voted "no"; H. B. No. 303 has passed the House.

House Bill No. 284, introduced by Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beaman, Besancon, Bjorneby, Blankenbaker, Campbell, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Arnold, Breitenstein, Byrne, Chapman, Doran, Fitzstephens, Freed, Freudenstein, Givens, Logan, McDermott, Reardon (Cascade), Rolph, Shannon, Spangler, Sparling, Stevens (Wheatland), Sullivan, Waite. Total 19.

The Speaker: Eighty-two have voted "aye," none have voted "no"; H. B. No. 284 has passed the House.

House Bill No. 41, introduced by Daugherty, Stephens (McCone), having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ferry, Freed, Freudenstein, Goodwin, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Knowles, Kuhl, McCarvel, McDermott, McElwain, Manning, Mason, Miles, Miller (Lincoln), Moss, Mulholland, O'Connell, O'Shea, Parker (Broadwater), Ragen, Reardon (Deer Lodge), Replogle, Rolph, Schuster, Setzer, Somerville, Stephens (McCone), Strange, Trenne, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 54.

Noes: Acher, Annin, Arnold, Balgord, Breitenstein, Byrne, Campbell, Ecton, Findlater, Fowler, Givens, Grabow, Jensen, Kruse, Larsen, Lewis,

Lott, Marshall, Miller (Big Horn), Nass, Nelstead, Nutting, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Rognlien, Roll, Snidow, Sparling, Stevens (Wheatland), Stiefel, Ueland, Waite, Mr. Speaker. Total 38.

Absent and not voting: Doran, Fitzstephens, Logan, Love, Metlen, Shannon, Spangler, Sullivan. Total 8.

The following "passed": Harrington. Total 1.

The Speaker: Fifty-four have voted "aye," 38 have voted "no"; B. No. 41 has passed the House.

House Bill No. 201, introduced by Committee on Military Affairs having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Finlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes; None.

Absent and not voting: Doran, Fitzstephens, Freed, Love, Metlen, Ralston, Repogle, Shannon, Spangler, Sullivan. Total 10.

The Speaker: Ninety-one have voted "aye", none have voted "no"; H. B. No. 201 has passed the House.

House Bill No. 233, introduced by Harrington, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Abrahamson, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Fowler, Freudenstein, Goodwin, Grabow, Hagerty, Harrington, Hilger, Jensen, Knowles, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nelstead, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Ragen, Ralston, Reardon (Deer Lodge), Repogle, Rognlien, Roll, Rolph, Schuster, Setzer, Somerville, Stephen (McCone), Stiefel, Trenne, Watson (Meagher), Whaley, White, Wigal, Mr. Speaker. Total 65.

Noes; Acher, Arnold, Ballard, Blankenbaker, Findlater, Givens, Green (Dawson), Groene (Fergus), Holecek, Kruse, Kuhl, Lewis, Miller (Big Horn), Nass, Nutting, Quamme, Rearden (Cascade), Snidow, Stevens (Wheatland), Strange, Ueland, Waite, Watson (Missoula), Woodcock. Total 24.

Absent and not voting: Conner, Doran, Fitzstephens, Freed, Haight, Harlen, Parker (Flathead), Pierson, Shannon, Spangler, Sullivan. Total 11.

The Speaker: Sixty-five have voted "aye", 24 have voted "no"; B. No. 233, has passed the House.

House Bill No. 99, introduced by McDermott, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecck, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 98.

Noes; None.

Absent and not voting: Fitzstephens, Spangler, Sullivan. Total 3.

Mr. Speaker: Ninety-eight have voted "aye", none have voted "no"; B. No. 99, has passed the House.

House Bill No. 187, introduced by Snidow, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Daugherty, Duffy, Ecton, Ferry, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Groene (Fergus), Harlen, Harrington, Hilger, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Lincoln), Moss, Mulholland, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rolph, Schuster, Setzer, Snidow, Stevens (Wheatland), Strange, Trenne, Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 64.

Noes: Abrahamson, Arnold, Balgord, Campbell, Doe, Findlater, Grabow, Hagerty, Haight, Holecck, Jensen, Lott, Miles, Miller (Big Horn), Nass, Nelstead, Porter, Quamme, Rearden (Cascade), Rognlien, Roll, Shannon, Somerville, Sparling, Stephens (McCone), Ueland, Waite, Watson (Meagher), Whaley, White. Total 30.

Absent and not voting: Cusker, Doran, Fitzstephens, Metlen, Spangler, Stiefel, Sullivan. Total 7.

The Speaker: Sixty-four have voted "aye", 30 have voted "no"; H. No. 187 has passed the House.

House Bill No. 181, introduced by Ferry, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Ballard, Beadle, Breitenstein, Byrne, Campbell, Conner, Doe, Duffy, Ecton, Ferry, Findlater, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Holecck, Jensen, Knowles, Kuhl, Larsen, McCarvel, McDermott, Manning, Mason, Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, Parker (Broadwater), Pierson, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Setzer, Snidow, Somerville, Sparling, Sullivan, Trenne, Whaley, White. Total 53.

Noes: Acher, Anderson, Annin, Arnold, Balgord, Besancon, Bjorneby, Blankenbaker, Chapman, Daugherty, Green (Dawson), Hilger, Kruse, Lewis, Logan, Lott, Love, Marshall, Miles, Miller (Big Horn), Nass, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Quamme, Rognlien, Schuster, Shannon, Stephens (McCone), Stevens (Wheatland), Strange, Ueland, Watson (Meagher), Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 38.

Absent and not voting: Conner, Doran, Fitzstephens, Fowler, Fre, Metlen, Spangler, Stiefel, Waite. Total 9.

The following "passed": McElwain. Total 1.

The Speaker: Fifty-three have voted "aye", 38 have voted "no"; H. B. No. 181 has passed the House.

House Bill No. 258, introduced by Annin, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadler, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Holecek, Jensen, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Trenne, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 77.

Noes; Freed, Haight, Hilger, Lewis, Miller (Big Horn), Quamme, Replogle, Stevens (Wheatland), Strange, Sullivan, Mr. Speaker. Total 1.

Absent and not voting: Conner, Cusker, Doran, Fitzstephens, Knowlton, Moss, O'Shea, Rolph, Shannon, Spangler, Stiefel, Ueland, Watson (Meagher). Total 13.

The Speaker: Seventy-seven have voted "aye", 11 have voted "no"; H. B. No. 258 has passed the House.

House Bill No. 269, introduced by Groene, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadler, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Hilger, Holecek, Jensen, Knowles, Kuhl, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Rolph, Schuster, Snidow, Somerville, Sparling, Stephens (McCone), Stran, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Harrington. Total 1.

Absent and not voting: Cusker, Doran, Fitzstephens, Fowler, Harlen, Nass, O'Shea, Setzer, Shannon, Spangler, Stevens (Wheatland), Stiefel, Sullivan, Watson (Meagher). Total 14.

The Speaker; Eighty-six have voted "aye", 1 has voted "no"; H. B. No. 269 has passed the House.

Sub. House Bill No. 72, introduced by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadler, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Daugherty, Doe, Duffy, Ferry, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Kruse, Kuhl, Larsen

Iwis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Met-
 1., Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nel-
 sad, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pier-
 si, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge),
 Iplogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling,
 Stephens (McCone), Sullivan, Trenne, Ueland, Waite, Watson (Missoula),
 Wale, White, Wigal, Woodcock, Mr. Speaker. Total 81.

Noes: Campbell, Ecton, Jensen, Mason, Nass, Rearden (Cascade).
 Total 6.

Absent and not voting: Cusker, Doran, Fitzstephens, Freed, Knowles,
 Melwain, O'Shea, Roll, Shannon, Spangler, Stiefel, Strange, Watson
 (eagher). Total 13.

The following "passed": Stevens (Wheatland). Total 1.

Mr. Speaker: Eighty-one have voted "aye", 6 have voted "no"; H.
 I No. 72 has passed the House.

House Joint Memorial No. 5, introduced by Nelstead:

"Memorial to the Congress of the United States Opposing Repeal of
 Provisions for care of Disabled Veterans of the World War.

To the Honorable Senate and House of Representatives of the United
 States:

The Members of the Twenty-third Legislative Assembly of the State
 of Montana, both Houses thereof concurring, respectfully represent:

For more than fifty (50) years the sentiment of the American people,
 as expressed in legislation and practice, has required the decent and honor-
 able care of disabled men who have served in the armed forces of this
 country in time of war instead of sending these men to poor farms. In
 giving effect to this sentiment National and State Soldiers Homes have
 been erected and maintained. This method of treatment of the Veterans of
 our wars has become a fixed policy of this Nation and of the States.

The establishment of State Soldiers Homes was the result of the
 effort of the States to correct a situation which had grown up as the
 result of neglect of the Veterans of the Civil War and was the result of
 spontaneous effort of the people of the various states to make up pre-
 vious shortcomings, due to the lack of a full understanding of the problem
 and of a full appreciation of the fact that the primary obligation to give
 proper care to these men rests upon the Federal Government which repre-
 sents all of the states in calling these men into the service.

Immediately after the World War, through pressure of public opinion,
 the activity of welfare organizations, and of individuals, and the study of
 the situation by Congress, and elaborate and effective system of handling
 the post war work of adequately caring for disabled ex-service men was
 provided for by the establishment of what is now known as the "Veterans
 Administration."

In 1924 Congress adopted a provision for the hospitalization by the
 Veterans Bureau of all ex-service men requiring hospitalization, regardless
 of the origin of their disability. During the last eight (8) years this
 service has taken a very heavy load from the States and placed it with
 agencies of the Federal Government, which owes the primary duty, and
 which through the organization of the Veterans Administration, is equip-
 ped to handle the work more efficiently and less expensively than can be
 done by the States.

A further provision was made by Congress whereby a moderate allow-
 ance was made to men suffering from disability not due to service. In
 this respect, again, a load was taken from the States and their various
 communities.

There is now a strong movement in and out of Congress to do away
 with these two provisions of the Laws of Congress.

The repeal of Section 202-10 of the World War Veterans Act of 1924, which provides for such hospitalization and the repeal of the provision for disability allowance, will set the entire question at large, leaving it to be answered by the various States and their communities in the best way possible.

This will undoubtedly result in the establishment of State Soldiers' Homes maintained by the several States. In our State this would involve a heavy primary outlay and a mounting annual cost running into hundreds of thousands of dollars.

The Federal Government has already taken and absorbed this load and thereby inequalities in the number of men furnished by the various States to the armed forces of the United States during the late World War have been adjusted as the load falls more evenly and less directly upon the entire country on whose behalf these forces were called into action.

The question is now at direct issue as to whether the Federal Government will continue to carry this load, which is primarily its own, or whether it will repudiate it and require the States to handle the portion of the problem which lies within their respective borders. This, again, will involve the question of the establishment and maintenance of Soldiers' Homes and the burden of thus caring for these men at a cost much in excess of that with which the same work can be done by the Federal Government through its established agency, the Veterans Administration.

THEREFORE, BE IT RESOLVED that the Twenty-third Legislative Assembly of the State of Montana, through this Memorial respectfully urges that the Congress of the United States refrain from the repeal of Section 202-10 of the World War Veterans Act of 1924, and that it continue reasonable provisions in the way of disability allowances for men disabled through non-service causes; to the end that the burden may rest upon the people as a whole and be handled as one rather than as forty-eight (48) separate problems to be dealt with separately by the various States.

BE IT FURTHER RESOLVED, that copies of this Memorial be forwarded to the Senators and Representatives from the State of Montana to the Congress of the United States, to the President of the United States and to the Governors of the other States of the Union with the request that the same be presented to the Legislative Assemblies of such States as they are in Session."

Having been read three several times, title and history agreed to, was passed by the following vote;

Ayes; Abrahamson, Acher, Anderson, Annin, Ballard, Beadle, Benson, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Frandenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haig, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logg, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Mettler, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nestead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Peterson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Stran, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting; Arnold, Balgord, Cusker, Doran, Fitzstephens, Freed, Groene (Fergus), Knowles, Larsen, McElwain, O'Shea, Ragen, Rolph, Shannon, Spangler, Sullivan, Waite. Total 18.

The Speaker: Eighty-three have voted "aye", none have voted "no". House Joint Memorial No. 5 has passed the House.

House Joint Memorial No. 6, introduced by Besancon: A Memorial to the Congress of the United States of America requesting enactment of U. S. Senate Bills Nos. 5417 and 5471 relating to suspension of payments on loans to the Reclamation Funds of Irrigation Projects.

To the Honorable Senate and House of Representatives of the United States of America:

Your Memorialists, the Members of the Twenty-third Legislative Assembly of the State of Montana, respectfully represent that:

WHEREAS, there have been introduced into the United States Senate for passage, Senate Bills Nos. 5417 and 5471, which are complementary or to the other, the first providing for a suspension in payment of charges due from the federal reclamation project settlers to the United States which will in like amount decrease the income of the Reclamation Fund for the period of the suspension; and that second providing for a loan to the Reclamation Fund to replace the income thereto thus suspended;

Such suspension of construction charges has become necessary on account of the extreme low prices affecting all agricultural communities;

There has already been authorized by the Congress of the United States the construction of irrigation projects under the provisions of the Reclamation Act; and

Said Federal Projects are now only partially completed and incapable of substantial self-liquidation of their present costs until the same are completed; and

The settlers upon numerous privately projected irrigation districts of the State are on the verge of being forced out of their homes because of inadequate water supply due to lack of storage, and depreciation of distribution facilities, and a supplemental water supply can be made most readily available by the Federal Reclamation Bureau; and

Delays in completion of projects already begun and the commencement of those projects contemplated to rehabilitate worthy enterprises will result in serious loss to the United States and to the State of Montana in

(a) Direct increase in unemployment to the extent of several thousand men, with incidental increase in unemployment in those industries which supply such projects, incalculable;

(b) Depreciation of works already constructed in such incomplete projects, and of idle money therein invested; and

(c) The crushing blow to those under said projects having inadequate water supply and having staked all in faith upon the Federal Government's completing that which it has undertaken.

Failure to enact said bills, or similar legislation, will result in the discharge of thousands of men now employed and the consequent loss in purchasing power for consumption of both farm and industrial products and add to the depression prevailing in all markets; and for

Effective relief to the State of Montana and its citizens; the timely completion of said projects; and the enactment of the bills herein designated, into laws, are propositions of inseparable relation.

THEREFORE, BE IT RESOLVED, by the joint action of the Legislative Assembly of the State of Montana,

That the Congress of the United States in furtherance of subsisting National policies of reconstruction and reclamation, make early enactment of U. S. Senate Bills Nos. 5417 and 5471 into laws; and

BE IT FURTHER RESOLVED, that the Secretary of the State of Montana, be, and he is hereby, directed forthwith to transmit a copy of this Memorial to each, the President of the United States, the President of the

United States Senate, the Speaker of the House of Representatives, and to the Montana Delegation in Congress, with a request that they expeditiously promote the enactment into law of United States Senate Bills Nos. 5417, and 5471."

Having been read three several times, title and history agreed was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadleson, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chaman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlat, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haggerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kulewsky, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Ross, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: Strange. Total 1.

Absent and not voting: Arnold, Doran, Fitzstephens, Freed, Freudenstein, Knowles, Larsen, O'Shea, Rolph, Shannon, Spangler, Stiefel, Sullivan. Total 13.

The Speaker: Eighty-seven have voted "aye", 1 has voted "no". House Joint Memorial No. 6 has passed the House.

MOTIONS AND RESOLUTIONS

Beadles: Move that House Bill No. 155 be placed at the head of General Orders beneath the Revenue Measures, and that all other bills proposing constitutional amendments be placed at the head of General Orders beneath the Revenue Measures. Seconded. Carried.

Bsancon: Move that until Tuesday noon, February 21st, we suspend the rules to the extent that any member explaining his vote on Third Reading of Bills be limited to one minute. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, beg leave to report the following bills correctly printed: 295, 121, 155, 296 and 331. (All House Bills referred to Printing Committee are now back from printer's shop.)

SOMERVILLE, Chairman."

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

Holecek; Move that S. B. No. 13 be taken from the Committee on Dairying and placed on General Orders after the 50th day. Seconded.

O'Connell; Move that all action on S. B. No. 13 be deferred until after the 50th day. Seconded.

Nelstead; Move the previous question on all pending questions. Seconded. Carried.

The motion of O'Connell was then put to vote and carried.

Groene; Move that House Bill No. 305 be passed for the day. Seconded. Defeated.

CONSIDERATION OF GENERAL ORDERS

Besancon; Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

Moss of Flathead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker; We, your Committee of the Whole, having had under consideration House Bills Nos. 238, 294 and 305, respectfully report and recommend as follows:

That H. B. No. 238 be amended as follows: In Section 1 by striking out in line 10 the words and figures "fifty (50)" and inserting in lieu thereof the words and figures "seventy-five (75)" and in line 11 by striking out the words and figures "fifty (50)" and inserting in lieu thereof the words and figures "seventy-five (75)"; and in Section 4, by striking out in line 5, after the word "thereof" the period (.), and inserting in lieu thereof the following "for the use and benefit of the County General Fund"; and that as so amended the bill do pass;

That House Bill No. 294 be amended as follows; In Section 9, by striking out in line 3, after the word "follows" the words "twenty-five" and inserting in lieu thereof the word "fifty," and in line 4 by striking out after the words "income fund and," the word "fifty" and inserting in lieu thereof the words "twenty-five" and that as so amended the bill do pass;

That House Bill No. 305 be amended as follows: In Section 9, by striking out in line 2 after the word "state" the balance of that line and all of line 3, and inserting in lieu thereof the words and figures "twenty-five per centum to the credit of the common school interest and income fund and twenty-five per centum to the common school equalization fund"; and by adding a new section to be numbered Section 13, and to read as follows: "All Acts and/or parts of Acts in conflict herewith are hereby repealed"; and renumber Section 13 to read Section 14; and that as so amended the bill do pass.

MOSS, Chairman."

On motion by Moss, report adopted.

MOTIONS AND RESOLUTIONS

Somerville: Move that House Bill No. 225 be considered correctly printed, and placed on General Orders. Seconded. Carried.

O'Shea: Move that consideration of Substitute House Bill No. 113 be postponed until tomorrow. Seconded. Carried.

Without objection the House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker; We, your Committee of the Whole, having had under consideration House Bills Nos. 331, Sub. H. B. No. 25, Sub. H. B. No. 113 and H. B. 177, respectfully report and recommend as follows:

That House Bill No. 331 be deferred until the head of the list in this evening session;

That Sub. H. B. No. 25 be amended as follows: In Section 2, by striking out in lines 8 and 9, the words and figures "one-fourth of one cent

($\frac{1}{4}$ c) for each one thousand (1000) cubic feet" and inserting in lieu thereof the words and figures "two per centum (2%) of the gross value"; and that as so amended the bill do pass.

Sub. H. B. No. 113 be passed for the day.

That H. B. No. 177 have the enacting clause stricken.

MOSS, Chairman."

Moss: Move the adoption of the report. Seconded.

Fowler; Move that House Bill No. 177 be segregated from the report of the Committee of the Whole and a roll call be had. Second. Carried.

A call of the House was ordered and on roll call all members were present except the following; Acher, Harrington, Marshall, Roll, Spigler, Watson (Missoula), White; Doran and Fitzstephens, excused.

When the Sergeant-at-Arms was instructed to bring in the absentees, Marshall and Watson of Missoula, and White of Judith Basin were brought in.

On motion by Besancon, the absentees were excused and further call of the House dispensed with.

The motion of Fowler was thereupon put. A roll call was demanded, which resulted in the following vote:

Ayes; Anderson, Annin, Balgord, Ballard, Beadle, Bjorneby, Blannbaker, Byrne, Chapman, Conner, Daugherty, Duffy, Ecton, Fowler, Fred, Green (Dawson), Haight, Hilger, Holecek, Kruse, Kuhl, Lewis, Lott, Lee, Manning, Miles, Miller (Big Horn), Mulholland, Nass, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Ragen, Rearden (Cascade), Rognlien, Roh, Schuster, Snidow, Sparling, Stevens (Wheatland), Stiefel, Strange, Ueland, Whaley. Total 45.

Noes: Abrahamson, Acher, Arnold, Besancon, Breitenstein, Campell, Cusker, Doe, Ferry, Findlater, Freudenstein, Givens, Goodwin, Graw, Groene (Fergus), Hagerty, Harlen, Jensen, Knowles, Larsen, Logan, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miller (Lincoln), Moss, Nelstead, Nutting, Parker (Broadwater), Pierson, Porter, Quane, Ralston, Reardon (Deer Lodge), Replogle, Setzer, Shannon, Somerville, Stephens (McCone), Sullivan, Trenne, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 51.

Absent and not voting: Doran, Fitzstephens, Harrington, Roll, Spigler. Total 5.

The Speaker: Forty-five have voted "aye", 51 have voted "no"; the motion to segregate H. B. No. 177 has been defeated.

The motion of Moss to adopt the report of the Committee of the Whole was thereupon put to vote and carried.

Besancon: Move the House recess until 7:30 o'clock this evening. Seconded. Carried.

EVENING SESSION

House resumed, pursuant to recess, at 7:30 o'clock.

Mr. Speaker in the Chair.

Without objection, the House reverted to Order of Business No. 10.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows;

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 331, 203, 204, 205, 206, respectfully report and recommend as follows;

That H. B. No. 331 be passed temporarily.

That H. B. No. 203 be amended as follows:

In Section 2, by striking out in line 6, the word "public" and inserting in lieu thereof the word "state."

In Section 3, by inserting in line 3 after the words "extent of their operations," the words "on State Highways";

In Section 9 by striking out in line 8 the words "twenty per cent" and inserting in lieu thereof the words "ten per cent," and striking out in line 10 the words "twenty per cent," and inserting in lieu thereof the words "ten per cent"; and by striking out the last two sentences in Section 9, beginning with the words "The Board" in line 11 and ending with the word "patrolmen" in line 14.

In Section 10, by striking out in lines 3 and 4 the words "twenty per cent" and inserting in lieu thereof the words "ten per cent"; and in line 8 by striking out the words "twenty per cent" and inserting in lieu thereof the words "ten per cent".

In Section 11 by striking out in lines 3 and 4 the words "twenty per cent" and inserting in lieu thereof the words "ten per cent".

In Section two by adding in line 32 after the word "commerce" the words "Nothing in this Act shall be construed to apply to highways in territories not served by railroads." And as so amended the bill do pass.

That H. B. No. 204 do pass.

That H. B. No. 205 do pass.

That H. B. No. 206 be amended as follows; In Section 3, by striking out in line 4 the word "sixteen" and inserting in lieu thereof the word "ten"; by striking out in line 5 the word "ten" and inserting in lieu thereof the word "eight," and in line 7 by striking out the word "eight" and inserting in lieu thereof the word "fifteen" and as so amended the bill do pass.

MOSS, Chairman."

On motion by Moss, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Printing, beg leave to report the following bill correctly printed: H. B. No. 225.

SOMERVILLE, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 1 of the Twenty-second Legislature of the State of Wyoming, beg leave to report that we are in favor of the said Memorial and introduce herewith House Joint Memorial No. 10, memorializing Congress to take favorable action on S. 1043, to confer upon the States of Montana, Wyoming, and Idaho the right to tax for state and county purposes, persons, co-partnerships, and corporations, and their property within that portion of the Yellowstone National Park which lies within the boundary lines of said state.

CUSKER, Chairman."

Referred to Committee on Federal Relations.

On motion by Besancon report adopted.

MOTIONS AND RESOLUTIONS

McCarvel: Move that H. B. No. 305 be recalled from the Committee on Engrossing and placed at the head of the list on General Orders. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Without objection the House reverted to order of Business No. 1 Moss of Flathead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows;

"Mr. Speaker: We, your Committee of the Whole, having had under consideration H. B. Nos. 305, 147, 155, 121, respectfully report and recommend as follows:

That H. B. No. 305 be amended as follows; In Section 2 by striking out in line 13 the words and figures "one-half ($\frac{1}{2}$)" and inserting in lieu thereof the words and figures "one-fourth ($\frac{1}{4}$)", and as so amended the bill do pass.

That H. B. No. 147 do pass.

That H. B. No. 155 do pass.

That H. B. No. 121 do pass.

MOSS, Chairman."

On motion by Moss, report adopted.

MOTIONS AND RESOLUTIONS

Moss: Move that H. B. No. 122 and H. B. No. 135 be passed for the day. Seconded. Carried.

Without objection, the House reverted to order of Business No. 0.

CONSIDERATION OF GENERAL ORDERS

Moss of Flathead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker; We, your Committee of the Whole, having had under consideration House Bills Nos. 131, 319, H. J. R. No. 3, H. B. No. 3, House Bill No. 184, Sub. H. B. No. 189, respectfully report and recommend as follows;

That House Bill No. 131 be amended as follows; In Section 1 by striking out in line 28 the figures "15%" and inserting in lieu thereof the figures "16%"; and in line 33 by striking out the figures "14%" and inserting in lieu thereof the figures "15%"; and that as so amended the bill do pass.

That H. B. No. 319 be amended as follows;

By adding a new section to be numbered 2, reading as follows:

"Section 2. No part of this Act shall be construed as in any way repealing Section 6119 of the Montana Revised Codes of 1921, nor shall any part of this Act be construed as in any way altering or amending any part of Chapter 22 of said code relating to fraternal benefit societies." And that the following sections be renumbered accordingly; and that as so amended the bill do pass.

That House Joint Resolution No. 3 do pass.

That H. B. No. 133 the enacting clause be stricken.

That H. B. No. 184 do pass.

That Sub. H. B. No. 189 be amended as follows: In the title, by inserting after the word "mortgages" the words "suits to cancel real estate contracts or to foreclose chattel mortgages," and in Section 1, by inserting after the word "mortgages," the words "actions for cancellation of real estate contracts or for foreclosure of chattel mortgages" and as so amended the bill do pass.

MOSS, Chairman."

Moss: Move the adoption of the report. Seconded.

O'Connell: As a substitute motion move that H. B. No. 133 be segregated from the report of the Committee of the Whole. Seconded.

On demand a roll call was taken, which resulted in the following vote;

Ayes: Abrahamson, Anderson, Beadle, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ferry, Fowler, Freudenstein, Goodwin, Grabow, Hagerty, Haight, Harrington, Hilger, Holecek, Kruse, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metten, Miles, Miller (Big Horn), Moss, Mulholland, Nass, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralton, Rearden (Cascade), Reardon (Deer Lodge), Rolph, Schuster, Setzer, Shannon, Somerville, Spangler, Stephens (McCone), Strange, Ueland, Watson (Meagher), Wigal. Total 58.

Noes: Acher, Arnold, Balgord, Ballard, Besancon, Bjerneby, Blankenaker, Breitenstein, Cusker, Ecton, Findlater, Givens, Green (Dawson), Groene, (Fergus), Harlen, Jensen, Kuhl, Marshall, Miller (Lincoln), Nelstead, Nutting, Pierson, Ragen, Rognlien, Snidow, Sparling, Stevens (Wheatland), Stiefel, Watson (Missoula), Whaley, White, Woodcock, Mr. Speaker. Total 33.

Absent and not voting; Annin, Doran, Fitzstephens, Freed, Knowles, Lepogle, Roll, Sullivan, Trenne, Waite. Total 10.

The Speaker: Fifty-eight have voted "aye", 33 have voted "no"; the motion to segregate H. B. No. 133 from the report has carried.

Moss: Move the amended report of the Committee of the Whole be adopted. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker; We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed; H. B. Nos. 238, 161, 226, 259, 271, 67 and 283.

ROLPH, Chairman."

Without objection, report adopted.

Besancon; Move the House adjourn until 9:30 o'clock tomorrow morning, February 20, 1933. Seconded. Carried.

D. A. DELLWO,
Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

FIFTIETH DAY

House of Representatives,
Helena, Montana, February 20, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Nelstead.

MOTIONS AND RESOLUTIONS

Haight: Move that a Committee of five members consisting of the Speaker, Majority Floor Leader, Mr. Besancon, the Minority Floor Leader, Mr. Moss, Mr. Rolph and Mr. Logan, be selected to rearrange the bills up under General Orders, and that no change in the present orders of bills be made unless by unanimous approval of this Committee. Seconded. Carried.

The Speaker warned the House about expediting the work of the House, and also instructed the Sergeant-at-Arms to maintain quiet among the non-members in the House.

THIRD READING OF HOUSE BILLS

House Bill No. 161, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 87.

Noes: Harlen, Trenne. Total 2.

Absent and not voting: Doe, Doran, Groene (Fergus), Hagerty, Harlen, Nelstead, Pierson, Roll, Setzer, Shannon, Sullivan, Waite. Total 12.

The Speaker; Eighty-seven have voted "aye", 2 have voted "no". House Bill No. 161 has passed the House.

House Bill No. 226, introduced by Givens, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting; Doran, Groene (Fergus), Hagerty, Harlen, Nelstead, Pierson, Reardon (Deer Lodge), Rolph, Setzer, Sparling, Sullivan, Waite. Total 12.

The following passed their vote: Stephens (McCone).

The Speaker: Eighty-eight have voted "aye", none have voted "no". House Bill No. 226 has passed the House.

House Bill No. 259, introduced by Committee on Fish and Game, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Anderson, Annin, Arnold, Ballard, Beadle, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Harrington, Hilger, Holecek, Jensen, Kruse, Larsen, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metlen, Miller (Lincoln), Moss, Mulholland, Nutting, O'Connell, Pilgeram, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Trenne, Ueland, Waite, Watson (Meagher). Total 56.

Noes: Acher, Balgord, Besancon, Breitenstein, Conner, Cusker, Daugherty, Duffy, Freed, Givens, Hagerty, Haight, Harlen, Knowles, Kuhl, Lewis, Logan, Marshall, Miles, Miller (Big Horn), Nass, O'Shea, Parker (Flathead), Parker (Broadwater), Porter, Quamme, Ragen, Ralston, Replogle, Schuster, Shannon, Stevens (Wheatland), Strange, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 39.

Absent and not voting: Doran, Lott, Nelstead, Pierson, Rolph, Sullivan. Total 6.

The Speaker; Fifty-six have voted "aye", 39 have voted "no"; House Bill No. 259, has passed the House.

Sub. H. B. No. 271, introduced by Committee on Education, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Conner, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Harlen, Harrington, Jensen, Knowles, Kruse, Logan, Lott, Love, McElwain, Marshall, Mason, Metlen, Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, Parker (Broadwater), Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Ueland, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 68.

Noes: Arnold, Ballard, Chapman, Fowler, Freed, Groene (Fergus), Haight, Hilger, Holecek, Kuhl, Larsen, Lewis, McCarvel, Manning, Miles, Miller (Big Horn), O'Shea, Quamme, Replogle, Stephens (McCone), Strange, Trenne, Waite, Whaley. Total 24.

Absent and not voting: Byrne, Hagerty, McDermott, Nelstead, Parker (Flathead), Pierson, Reardon (Deer Lodge), Shannon, Sullivan. Total 9.

The Speaker; Sixty-eight have voted "aye", 24 have voted "no"; Sub. H. B. No. 271 has passed the House.

House Bill No. 267, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle,

Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley White, Wigal, Woodcock, Mr. Speaker. Total 94.

Noes: Ragen. Total 1.

Absent and not voting: Fitzstephens, Nelstead, Parker (Flathead) Pierson, Shannon, Sullivan; Total 6.

The Speaker: Ninety-four have voted "aye", 1 has voted "no"; House Bill No. 267 has passed the House.

House Bill No. 283, introduced by Committee on Insurance, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Fitzstephens Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDer-mott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 94.

Noes: Annin, Knowles; Total 2.

Absent and not voting; Arnold, Findlater, Nelstead, Porter, Sullivan Total 5.

The Speaker: Ninety-four have voted "aye", 2 have voted "no"; House Bill No. 283 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move that the House resolve itself into Committee of the Whole for the consideration of General Orders under the following conditions:

That all bills be read by history, title and section numbers only, unless some one request that they be read in full; that debate be limited to five minutes to the author, mover or leading proponent and two minutes to others, with no trading of time; that no one shall speak twice until every one desiring has had a chance to be heard; and that the mover or leading proponent of the bill be given three minutes to close the debate. These rules to be followed in all matters except where unanimous consent is given. Motion seconded and carried.

Marshall of Missoula in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker; We, your Committee of the Whole, having had under consideration House Bills Nos. 339, 331, Sub. H. B. No. 113, respectfully report and recommend as follows:

House Bill No. 339, be amended as follows: Amend Section 3 by addition of the following sub-section numbered (d):

(d) No license to sell beer and other similar fermented beverages under this Act shall be issued to any person where the word "saloon" is printed, painted or placed upon the door, window, or other public place on or about the premises or when the word "saloon" is used in any adver-

sement by the applicant or licensee nor to any person using the names or pictures of women, girls or children in any way in advertising their place of business, and after license is granted it may be revoked by the board or any violation of the provisions of this sub-division.

Amend Section 12, lines 12 to 14 by striking out entire section and substituting the following; "Section 12. It shall be unlawful for any brewer or any person having any pecuniary interest in a brewery to have or own any permit to sell at retail or own any building place or premises covered by such permit."

Amend by adding a new section to be known as Section 45A as follows: "Section 45A: No license to sell at retail at a fixed location under the provisions of this Act, shall be issued until the application for same shall have been approved by a majority of the members of the Board of County Commissioners in the county where said retail place is to be located."

Amend in Section 54 by adding a new section numbered 54 reading as follows:

Section 54. Cities, villages and incorporated towns in Montana are hereby specifically empowered to enact ordinances for the enforcement of this Act and the licensing and regulation of the places, within their borders, hereby licensed by the State, and the imposition of reasonable license fees and charges in addition to those to be paid to the State and Counties.

And, that the present Section 54 in the printed bill be amended to read Section 55.

And as so amended the bill do pass.

That H. B. No. 331 be amended as follows: By striking out in Section 1, the period (.) at the end of the section, and inserting therein the words "and the levy for the bond issue";

And by striking out in Section 3, the period (.) at the end of the section, and inserting therein the words "and the levy for the bond issue"; and as so amended the bill do pass.

That Sub. H. B. No. 113 be amended as follows: Amend Section 15 striking out in line 3 the words "one-half" in line 3, all of line 4, all of line 5, and the words "Equalization fund of the state" in line 6, and inserting in lieu thereof the words "all to the general fund of the state," and that as so amended the bill do pass.

MARSHALL, Chairman."

Marshall: Move the adoption of the report. Seconded. Carried.

Watson of Meagher: Move that Sub. H. B. No. 113 be taken from the Committee on Engrossing, and returned to General Orders. Seconded.

Marshall moved the previous question, which, without objection, was ordered.

The motion of Watson of Meagher was thereupon put to vote and carried.

The Speaker: Without objection, the House will now resolve itself into Committee of the Whole, under the rules of the previous sitting, for the consideration of General Orders.

CONSIDERATION OF GENERAL ORDERS

Marshall of Missoula in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 225, 197, 293, 275, 166, 261, 263, 210, 138, respectfully report and recommend as follows:

That H. B. No. 225 do pass.

That H. B. No. 197 do pass.

That H. B. No. 293 do pass.

That H. B. No. 275 do pass.

That H. B. No. 166 have enacting clause stricken.

That H. B. No. 261 do pass.

That H. B. No. 263 be amended as follows:

By adding a new section to be numbered Section 2, and to read follows: "All Acts and parts of Acts in conflict herewith are hereby repealed," and renumbering Section 2 and Section 3; and as so amended the bill do pass.

That H. B. No. 210 be amended as follows:

In Section 4, as follows: Amend Section 4, House Bill No. 210, by renumbering Section "4" to read Section "3" and all subsequent sections be renumbered accordingly.

Amend Section 4 by adding after the word "complaint" at the end line 32 the following phrase: "accompanied by a petition signed by twenty per cent (20%) of the consumers or customers of the public utility complained against in the city, town or community affected."

Amend Section 4 further by adding after the period in line 41 the following phrase: "Said signers must comprise patrons paying at least twenty per cent (20%) of the annual income of the utility in the community affected; provided, further, that where the rates complained are the identical rates placed in effect in other communities in this state by the same utility, said petitions shall carry twenty per cent (20%) of the total number of patrons of the same utility in the state having the identical rates complained of."

Further amend Section 4 by adding after the word "number" in line 45 the words "or sufficiency" and by striking out in line 46 the following words: "as not being at least twenty per cent (20%) of all such customers"; and as so amended the bill do pass.

That H. B. No. 138 do pass.

MARSHALL, Chairman."

Marshall: Move adoption of the report. Seconded.

Watson of Missoula: As a substitute motion, move to segregate House Bill No. 293 from the report of the Committee of the Whole. Seconded. Defeated.

O'Connell: As a substitute motion, move that House Bill No. 1 be segregated from report of the Committee of the Whole. Seconded.

A roll call was demanded, which resulted in the following vote:

Ayes: Abrahamson, Anderson, Annin, Beadle, Besancon, Bjornek, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusk, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagert, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Moss, Mulholland, Nass, Nelster, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pegeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Setzer, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 82.

Noes: Arnold, Balgord, Ballard, Green (Dawson), Logan, Mettler, Miller (Lincoln), Nutting, Quamme, Snidow, Stiefel, White. Total 12.

Absent and not voting: Acher, Freed, Larsen, Rolph, Schuster, Shannon, Sullivan. Total 7.

The Speaker: Eighty-two have voted "aye," 12 have voted "no"; House Bill No. 166 has been segregated from the report.

Marshall: Move the adoption of the amended report. Seconded. Carried.

Besancon: Move the House now recess until 1:40 this afternoon. Seconded. Carried.

AFTERNOON SESSION

Metlen: I rise to a point of personal privilege: This morning I sent an amendment by request on Substitute House Bill 113, which places upon me more responsibility than I should have to carry in regard to this bill, and I ask the Majority Floor Leader to make the motion that Substitute House Bill No. 113 be taken from the Engrossing Committee and put back on General Orders.

MOTIONS AND RESOLUTIONS

Besancon: As Floor Leader, in accordance with the request of the gentleman from Beaverhead, I move that Substitute House Bill No. 113 be taken from the Committee on Engrossing and re-referred to General Orders. Seconded. Carried.

GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules in effect at the previous sitting. Seconded. Carried.

Besancon in the Chair.

Committee arose.

House resumed. Speaker Pro Tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 340, 341, 337, 335, 239, 191, 110, 310, 292, and 296, respectfully report and recommend as follows:

That House Bill No. 340 do pass.

That House Bill No. 341 do pass.

That House Bill No. 337 do pass.

That House Bill No. 335 do pass.

That from House Bill No. 239, the enacting clause be stricken.

That from House Bill No. 191, the enacting clause be stricken.

That House Bill No. 110 do pass.

That House Bill No. 310 do pass.

That House Bill No. 296 do pass.

That from House Bill No. 292, the enacting clause be stricken.

BESANCON, Chairman."

On motion by Besancon, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 305, 147, 205, 14, 121, 155, 294, 328, 206, Sub. House Bill No. 25, House Joint Resolution No. 3.

ROLPH, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 338.

LARSEN, Chairman."

Without objection, report adopted.

GENERAL ORDERS

Moss: Move the House now resolve itself into Committee of the Whole for the Consideration of General Orders, under the rules in effect at the previous sitting. Seconded. Carried.

Besancon in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills Nos. 253, 173, 208, Sub. 127, H. B. No. 24, 301, 314, 166, 182, 220, 133, 216, 326, respectfully report and recommend as follows:

That House Bill No. 253 do pass as amended in the title, as follows:

By striking out the words "It being the purpose of this amendment to restore the said Section 65 to its original form."

That H. B. No. 173 do pass.

That H. B. No. 208 be amended as follows: Section 1 of the printed bill by striking out in line 8 after the word "of," and before the word "per," and inserting in lieu thereof the words and figures "Two Dollar (\$2.00)" and further amend Section 1, in line 8 after the word "annum, by striking out the balance of that paragraph ending with the figure "\$1000.00," and as so amended, the bill do pass.

That Sub. H. B. No. 127 do pass.

That H. B. No. 24, that the enacting clause be stricken.

That H. B. No. 301 do pass.

That H. B. No. 314 be amended as follows: Section 1 by striking out in line 5 printed bill, the word "may" where it first appears and inserting in lieu thereof the word "must," and by striking out in the same line the word "may" where it last appears and inserting in lieu thereof the word "will," and in Section 2 by striking out in line 5 the period after the word "Act" and inserting in lieu thereof a semicolon, and the following words "provided, that it is the spirit and intent of the statute, that the discretion granted to Boards of County Commissioners under this Act shall consider primarily the use and benefit of public roads to the general public"; and as so amended do pass.

That H. B. No. 166 be amended as follows: Section 1 by adding to the end of paragraph of Section 1 line 5 the following: "Provided, that all merchants in all cities and towns of a population of 7000 or less shall not be affected by this Act, and that said population shall be based upon the U. S. census of 1930, and as so amended the bill do pass.

That H. B. No. 182 do pass.

That H. B. No. 220 do pass.

That H. B. No. 133 do pass.

That H. B. No. 216 do pass.

That H. B. No. 326 do pass.

BESANCON, Chairman."

On motion by Besancon, report adopted.

MOTIONS AND RESOLUTIONS

Cusker: Move that H. J. M. No. 10 be considered correctly printed and placed on General Orders. Seconded. Carried.

The Speaker gave notice that he was about to sign H. B. No. 338, and thereupon signed the same in the presence of the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 320, a Bill for an Act entitled: "An Act making it unlawful for any one to use any money appropriated for the Extension Service for the purpose of paying salaries and expenses of county agents," respectfully report and recommend as follows: That H. B. No. 320 do not pass.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

MOTIONS AND RESOLUTIONS

Pilgeram: Move that H. B. No. 218 be taken from the Committee on Livestock and Public Ranges and be considered correctly printed and passed on General Orders. Seconded.

Watson (Meagher): As a substitute motion, move that the motion of Pilgeram be laid on the table. Seconded. Defeated.

The motion of Pilgeram was then put to vote and carried.

CONSIDERATION OF GENERAL ORDERS

Without objection, the House resolved itself into Committee of the Whole, for consideration of General Orders, under the rules of the previous sitting.

Besancon of Missoula in the Chair.

Committee arose.

House resumed, Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker; We, your Committee of the Whole, having had under consideration Sub. H. B. No. 183, House Bills Nos. 321, 278, 122, 135, 234, respectfully report and recommend as follows;

That Sub. H. B. No. 183 do pass.

That H. B. No. 321, the enacting clause be stricken.

That H. B. No. 278 be amended as follows: In Section 31, by striking out in line 7 the words "or schedules," and after the word "forms" and before the word "statement" insert the word "or"; and that as so amended, do pass.

That H. B. No. 122 do pass.

That H. B. No. 135 do pass.

That H. B. No. 234 be amended as follows: In Section 2, by adding in line 1, after the word "contractor" the words "architect or school board", and as so amended, the bill do pass.

That H. B. No. 139 be amended as follows: By adding a new Section to be numbered Section 2; "This bill shall be submitted to the qualified electors of the State of Montana at the general election, November, 1934, for their adoption or rejection," and as so amended do pass.

BESANCON, Chairman."

On motion by Besancon, report adopted.

CONSIDERATION OF GENERAL ORDERS

Without objection, House resolved itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting.

Besancon of Missoula in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker; We, your Committee of the Whole, having had under consideration House Bills Nos. 287, 257, 185, 120, 295, 264, 221, and 190, respectfully report and recommend as follows:

That H. B. No. 287 do pass.

That H. B. No. 257, have enacting clause stricken.

That H. B. No. 185 do pass.

That H. B. No. 120 do pass.

That H. B. No. 285 do pass.

That Sub. H. B. No. 264 be amended as follows: Section 1. Strike out in line 4 the word "five" and insert in lieu thereof the word "six." Strike out in lines 5 and 6, the words "all of whom shall be persons actively engaged in teaching or administrative work in the public schools of the state at the time of their appointment." Strike out in line 8, after "ex officio" the words "without vote except in case of tie" and insert in lieu thereof the words "with a vote on any question or adoption." Strike out in line 9 the word "five" and insert in lieu thereof the word "six." In line 11, insert after the word "persons" the words "of whom ten shall be", strike out in line 13 the word "five" and insert in lieu thereof the word "six." Strike out in line 13 the word "two" and insert in lieu thereof the word "three." Strike out in line 16, the words "two or three persons as the case may be," and insert in lieu thereof the words "three persons." In Section 2, strike out in lines 6 and 7, after the word "commission" in line 6, the words "but shall not vote on any question except in the event of a vote by the appointed members of the commission," and insert in lieu thereof the words "and shall vote on any question or adoption," and as amended, the bill do pass.

That H. B. No. 221 do pass.

That H. B. No. 190 do pass.

BESANCON, Chairman."

On motion by Besancon, report adopted.

Moss: I ask unanimous consent of the House that all bills that have passed the Committee of the Whole be considered properly engrossed and placed on Third Reading. Without objection, so ordered.

Waite: I ask unanimous consent that House Joint Memorial No. 1 be placed at the head of the list of General Orders. Without objection, so ordered.

Besancon: Move the House now recess until 6:40 this evening. Seconded. Carried.

EVENING SESSION

House resumed.

Mr. Speaker in the Chair.

THIRD READING OF HOUSE BILLS

Pilgeram: Move that on Third Reading the second call of absent members be dispensed with. Seconded. Carried.

House Bill No. 238, introduced by Committee on Economy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes;: Abrahamson, Annin, Arnold, Ballard, Beadle, Besancon, Bjorndal, Blankenbaker, Campbell, Chapman, Conner, Daugherty, Duffy, Ector, Ferry, Findlater, Fitzstephens, Fowler, Givens, Grabow, Haight, Hilgert,

Holecek, Kuhl, Lewis, Logan, Lott, McDermott, McElwain, Manning, Marshall, Miller (Big Horn), Moss, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Schuster, Setzer, Snidow, Somers, Sparling, Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Uehd, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 63.

Noes: Acher, Balgord, Breitenstein, Doran, Harlen, Harrington, Jensen, Knowles, Larsen, McCarvel, Mason, Miles, Miller (Lincoln), Whaley. Total 14.

Absent and not voting: Anderson, Byrne, Cusker, Doe, Freed, Freudenstein, Goodwin, Green (Dawson), Hagerty, Kruse, Love, Metlen, Mulholland, Nelstead, Parker (Broadwater), Pierson, Rognlien, Roll, Rolph, Shannon, Spangler, Stephens (McCone), Waite. Total 23.

The following passed their vote: Groene (Fergus). Total 1.

The Speaker: Sixty-three have voted "aye", 14 have voted "no", H. B. No. 238 has passed the House.

House Bill No. 305, introduced by Replogle, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Arnold, Ballard, Beadle, Besancon, Borneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Daugherty, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Holecek, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Somers, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: Byrne, Doran, Freed, Freudenstein, Hilger, Larsen, Ralston, Mulholland. Total 8.

Absent and not voting: Anderson, Balgord, Cusker, Doe, Goodwin, Hagerty, Jensen, McDermott, Mulholland, Nass, Pierson, Roll, Shannon, Snidow, Sparling, Sullivan, Waite. Total 17.

The Speaker: Seventy-six have voted "aye", 8 have voted "no"; H. B. No. 305 has passed the House.

House Bill No. 147, introduced by Nelstead and Parker of Flathead.

A Bill for an Act Entitled: "An Act to submit to the qualified electors of the State of Montana an amendment to Article 12 of the constitution of the State of Montana, relating to revenue and taxation, adding thereto a new section, providing for the levy and collection by the state of taxes on incomes and the distribution of said taxes to the public schools and to the state government."

Be it Enacted by the Legislative Assembly of the State of Montana:

Section 1. That the Constitution of the State of Montana be amended herein after provided and that the question of such amendment be submitted to the qualified electors of the State of Montana for their approval or rejection at the general election to be held in November, 1934.

Section 2. That the constitution of the State of Montana be and the same is hereby amended by adding thereto a new section to be known and designated as Section 1 (a) of Article 12, reading as follows:

Section 1 (a) of Article 12. The Legislative Assembly may levy and collect taxes upon incomes of persons, firms and corporations for the purpose of replacing property taxes. These income taxes may be graduated and progressive and shall be distributed to the public schools and to the state government.

Section 3. Separate official ballots shall be provided at the general election to be held in November, 1934, which shall have printed thereon "Property Tax Relief Amendment," followed by all of Section 1 (a) of Article 12 of the Constitution of the State of Montana as proposed by this Act. There shall also be printed on said official ballots, below the said section, squares and the words as follows:

☐

For the foregoing amendment to the constitution.

☐

Against the foregoing amendment to the constitution.

Each elector who approves this amendment shall mark an "X" in the first square above printed and each elector who rejects it shall mark an "X" in the second square.

Section 4. The votes cast for and against this amendment as proposed, shall be counted, canvassed and determined by such officials, and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of the amendment, the Governor of the State shall so declare by public proclamation and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall be in effect and be in full force and effect from and after its passage and approval.

Having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Grabow, Green (Dawson), Groene (Fergus), Haight, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Les, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Melen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, Nettling, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilger, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Iron Lodge), Rognlien, Schuster, Setzer, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: Harlen. Total 1.

Absent and not voting: Balgord, Cusker, Doran, Freed, Freudenstein, Goodwin, Jensen, McDermott, Mulholland, Pierson, Replogle, Roll, Ross, Shannon, Sparling, Sullivan. Total 16.

The Speaker: Eighty-three have voted "aye", 1 has voted "no"; House Bill No. 147 has passed the House.

House Bill No. 205, introduced by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Doe, Doran, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Givens, Grabow, Groene (Fergus),

Hagerty, Haight, Harlen, Harrington, Holecek, Knowles, Larsen, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Miller (Lincoln), O'Connell, Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 61.

Noes: Abrahamson, Arnold, Chapman, Conner, Cusker, Daugherty, Ferry, Freed, Freudenstein, Green (Dawson), Hilger, Jensen, Kruse, Kuhl, Lewis, Logan, McDermott, Metlen, Miles, Miller (Big Horn), Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Ragen, Rolph, Schuster, Trenne. Total 29.

Absent and not voting: Annin, Goodwin, Moss, Mulholland, Pierson, Reardon (Cascade), Roll, Setzer, Spangler, Sullivan, Waite. Total 11.

The Speaker: Sixty-one have voted "aye", 29 have voted "no"; House Bill No. 205 has passed the House.

House Bill No. 204, introduced by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Miller (Big Horn), Moss, O'Connell, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Setzer, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 72.

Noes: Abrahamson, Annin, Cusker, Daugherty, Fowler, Jensen, Kruse, Kuhl, Lewis, Mason, Nass, Nelstead, O'Shea, Parker (Flathead), Replogle, Snidow, Strange, Watson (Missoula). Total 18.

Absent and not voting: Metlen, Miles, Miller (Lincoln), Mulholland, Nutting, Roll, Rolph, Schuster, Shannon, Sullivan, Waite. Total 11.

The Speaker: Seventy-two have voted "aye", 18 have voted "no"; House Bill No. 204 has passed the House.

House Bill No. 121, introduced by Watson of Meagher, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doran, Duffy, Ecton, Fitzstephens, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Hilger, Holecek, Kruse, Kuhl, Larsen, Love, McElwain, Manning, Marshall, Metlen, Moss, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Quamme, Rognlien, Roll, Rolph, Schuster, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 60.

Noes: Ballard, Daugherty, Doe, Findlater, Freudenstein, Harlen, Harrington, Jensen, Knowles, Lewis, McCarvel, Miles, Miller (Big Horn), Nass, O'Connell, Pilgeram, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Snidow, Stephens (McCone), Whaley. Total 22.

Absent and not voting: Bjorneby, Cusker, Ferry, Fowler, Freed, Goodwin, Logan, Lott, McDermott, Mason, Miller (Lincoln), Mulholland, Pierson, Porter, Ragen, Ralston, Setzer, Shannon, Sullivan. Total 19.

The Speaker: Sixty have voted "aye", 22 have voted "no"; House Bill No. 121 has passed the House.

House Bill No. 155, introduced by Beadle, O'Connell, Mulholland, Flatenstein, Goodwin, McDermott: A Bill for an Act Entitled: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section four (4) of Article Eighteen (18) of the Constitution of the State of Montana, relating to the hours of labor in all industries, occupations, undertakings and employments."

Be it Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section Four (4) of Article Eighteen (18) of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held on November 6, 1934.

Section 2. That Section Four (4) of Article XVIII of the Constitution be, and the same is hereby amended to read as follows:

"Section 4. A period of eight hours shall constitute a day's work in all industries, occupations, undertakings, and employments, except farming, provided, however, that the Legislative Assembly may by law reduce the number of hours constituting a day's work whenever in its opinion a reduction will better promote the general welfare, but it shall have no authority to increase the number of hours constituting a day's work beyond that herein provided."

Section 3. Separate official ballots shall be provided at said general election, which shall have printed thereon all of said Section 4 of Article XVIII of the Constitution, as amended by this Act, and below the same shall be printed the words:

☐

For the above written amendment to the Constitution.

☐

Against the above written amendment to the Constitution.

Each elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 4. The votes cast for and against the amendment above proposed shall be canvassed, determined and declared as provided by the General Election Laws of the State of Montana.

Section 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 6. This Act shall take effect and be in full force from and after its passage and approval.

having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Balgord, Beadle, Besancon, Bjorne, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daurerty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Hagerty, Haight, Harrington, Hilger, Hoelen, Jensen, Knowles, Kruse, Larsen, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Moss, Mulholland, Nass, Nestead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Peterson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Dr. Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Somerville, Spangler, Sparling, Stevens (Wheatland), Sullivan, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 74.

Noes: Acher, Annin, Arnold, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Harlen, Kuhl, Logan, Miles, Miller (Big Horn), Miller (Lincoln), Nutting, Quamme, Snidow, Strange, Ueland. Total 18.

Absent and not voting: Ballard, Cusker, Lott, Roll, Stephens (Cone), Stiefel, Trenne, Waite, Whaley. Total 9.

The Speaker: Seventy-four have voted "aye," 18 have voted "no"; House Bill No. 155 has passed the House.

House Bill No. 294, introduced by Knowles, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Annin, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Daugherty, Duffy, Fitzstephens, Fowler, Green (Dawson), Haight, Harrington, Hilger, Jensen, Knowles, Kruse, Larsen, Lewis, Logan, Lott, Love, McDermott, McElwain, Manning, Mason, Metlen, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Reardon (Deer Lodge), Regnlien, Schuster, Setzer, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Trenne, Waite, Wigal, Woodcock, Mr. Speaker. Total 53.

Noes: Anderson, Arnold Balgord, Breitenstein, Doe, Doran, Ecton, Findlater, Groene (Fergus), Hagerty, Harlen, Holecek, Kuhl, McCarvel, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Moss, O'Shea, Ralston, Reardon (Cascade), Rolph, Shannon, Snidow, Spangler, Watson (Missoula), Whaley, White. Total 29.

Absent and not voting: Acher, Cusker, Ferry, Freed, Freudenstein, Givens, Goodwin, Grabow, Mulholland, Pierson, Porter, Ragen, Replogle, Stiefel, Strange, Sullivan, Ueland, Watson (Meagher). Total 19.

The Speaker: Fifty-three have voted "aye," 29 have voted "no"; House Bill No. 294 has passed the House.

House Bill No. 328, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, Nutting, Quamme, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Regnlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Duffy, Harlen. Total 2.

Absent and not voting: Acher, Besancon, Cusker, Doe, Doran, Goodwin, Groene (Fergus), Love, Metlen, Mulholland, O'Connell, Pierson, Porter, Roll. Total 14.

The Speaker: Eighty-five have voted "aye," 2 have voted "no"; House Bill No. 328 has passed the House.

House Bill No. 206, introduced by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Arnold, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Grabow, Hagerty, Harlen, Harrington, Jensen, Knowles, Larsen, Love, McDermott, McElwain, Manning, Mason, Metlen, Miller (Lincoln), Moss, O'Connell, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme,

Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognli Setzer, Shannon, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Waite, Watson (Meagher), White, Wigal, Mr. Speaker. Total 61.

Noes: Anderson, Balgord, Conner, Daugherty, Green (Dawson), Haight, Hilger, Kruse, Kuhl, Lewis, Logan, Lott, Marshall, Miles, Miller (Big Horn), Nass, Nelstead, Nutting, O'Shea, Porter, Ragen, Rolph, Schuster, Strange, Ueland, Watson (Missoula), Whaley, Woodcock. Total 12.

Absent and not voting: Annin, Cusker, Doran, Fowler, Goodwin, Groene (Fergus), Holecek, McCarvel, Mulholland, Pierson, Roll, Snider. Total 12.

The Speaker: Sixty-one have voted "aye," 28 have voted "no"; House Bill No. 306 has passed the House.

Substitute House Bill No. 25, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlat, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snider, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: Larsen, McCarvel, Reardon (Deer Lodge), Spangler. Total 4.

Absent and not voting: Annin, Cusker, Grabow, Groene (Fergus), Mulholland, Porter, Ralston, Roll. Total 8.

The Speaker: Eighty-nine have voted "aye," 4 have voted "no"; Substitute House Bill No. 25 has passed the House.

House Joint Resolution No. 3, introduced by Committee on Education, having been read three several times, title and history agreed to, was defeated by the following vote:

Ayes: Abrahamson, Anderson, Breitenstein, Chapman, Findlat, Fitzstephens, Freed, Hagerty, Haight, Jensen, Larsen, Lott, McCarvel, Metlen, Miles, Marshall, Miller (Lincoln), Moss, Pilgeram, Ralston, Rearden (Cascade), Rognlien, Sparling, Stiefel, Watson (Meagher), Woodcock. Total 26.

Noes: Annin, Arnold, Ballard, Beadle, Besancon, Bjorneby, Byrne, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Freudenstein, Givens, Goodwin, Green (Dawson), Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Logan, Love, McDermott, McElwain, Manning, Mason, Miller (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Porter, Quamme, Ragen, Reardon (Deer Lodge), Replogle, Schuster, Setzer, Shannon, Snider, Somerville, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Waite, Watson (Missoula), White, Mr. Speaker. Total 12.

Absent and not voting: Acher, Balgord, Blankenbaker, Campbell, Cusker, Fowler, Grabow, Groene (Fergus), Pierson, Roll, Rolph, Spangler, Sullivan, Ueland, Whaley, Wigal. Total 16.

The Speaker: Twenty-six have voted "aye," 59 have voted "no"; House Joint Resolution No. 3 has failed to pass the House.

REPORTS OF STANDING COMMITTEES

“Mr. Speaker: We, your Committee on Engrossing, beg leave to re-
 po the following bills correctly engrossed: House Bills Nos. 110, 326,
 33 261, 301, 293, 197, 275, 203, 131, 184, 296, 319, Substitute House Bill
 No 189 and Substitute House Bill No. 127.

ROLPH, Chairman.”

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

Besancon: Move to reconsider the action of the House on Third Read-
 ing of House Bill No. 121. Seconded. Carried.

Besancon: Move House Bill No. 121 be placed at the head of Third
 Reading. Seconded. Carried.

THIRD READING OF HOUSE BILLS

House Bill No. 121, introduced by Watson of Meagher, a Bill for an
 Act entitled: “An Act providing for the submission to the qualified
 electors of the State of Montana an amendment to Section 5, Article XVI,
 granting the Board of County Commissioners the power to consolidate
 county offices, and providing the procedure for the consolidation of county
 offices.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 5 of Article XVI of the Constitution of the
 State of Montana, be amended, provided that the question of the said
 amendment be submitted to the qualified electors of the State of Montana
 at the next general election.

Section 2. That Section 5 of Article XVI of the Constitution of the
 State of Montana be amended so that, as amended, the same shall read
 as follows:

“Section 5. There shall be elected in each county the following of-
 fices:

One County Clerk, who shall be Clerk of the Board of County Com-
 missioners and ex-officio Recorder; one Sheriff; one Treasurer, who shall
 be collector of the taxes, provided, that no person shall hold the office of
 County Treasurer for more than two consecutive terms; one County Su-
 perintendent of Schools; one County Surveyor; one Assessor; one Coroner;
 one Public Administrator. Persons elected to the different offices named
 in this section shall hold their respective offices for the term of two years,
 and until their successors are elected and qualified. Vacancies in all
 county, township and precinct offices, except that of County Commis-
 sioners, shall be filled by appointment by the Board of County Commissioners,
 and the appointee shall hold his office until the next general election;
 provided, however, that the Board of County Commissioners of any county
 may, in its discretion, consolidate any two or more of the within named
 offices and combine the powers and duties of the said offices consolidated,
 however, the provisions hereof shall not be construed as allowing one
 office incumbent to be entitled to the salaries and emoluments of two or
 more offices; provided, further, that in consolidating county offices, the
 Board of County Commissioners shall, six months prior to the general
 election held for the purpose of electing the aforesaid officers, make and
 enter an order, combining any two or more of the within named offices,
 and shall cause the said order to be published in a newspaper, published
 and circulated generally in said county, for a period of six weeks next
 following the date of entry of said order.”

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot as provided by law and shall be voted on at the general election to be held in November, 1934. On the principal ballot to be used at said election shall be printed thereon the words:

☐ For an amendment to the Constitution relating to the consolidation of county offices.

☐ Against an amendment to the Constitution relating to the consolidation of county offices.

The elector shall designate his preference for either of the propositions by marking an X before the proposition he desires."

Section 4. The votes cast for and against this amendment above proposed shall be counted and canvassed as is provided by law, and if a majority of all votes cast, at such election for and against such amendment, be in the favor of such amendment the Governor of the State of Montana shall so declare by public proclamation, and the same shall be in full force and effect as a part of the Constitution after the date of such proclamation.

Section 5. This Act shall be in full force and effect immediately upon its passage and approval.

Having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beal, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Bye, Campbell, Chapman, Conner, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Haight, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Lincoln), Moss, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Cascade), Rognlien, Schuster, Setzer, Shannon, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Uekel, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Wolcott, Mr. Speaker. Total 79.

Noes: Daugherty, Freudenstein, Hagerty, Harlen, Harrington, Jensen, Lewis, Miles, Miller (Big Horn), Mulholland, O'Connell, Reardon (Deer Lodge), Replogle. Total 13.

Absent and not voting: Cusker, Groene (Fergus), Pierson, Roll, Roll, Snidow, Spangler, Sullivan, Waite. Total 9.

The Speaker: Seventy-nine have voted "aye," 13 have voted "no," House Bill No. 121 has passed the House.

House Bill No. 110, introduced by Abrahamson, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beal, Beadle, Besancon, Bjorneby, Breitenstein, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Sch-

Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 91.

Noes: None.

Absent and not voting: Blankenbaker, Byrne, Cusker, Groene (Fergus), McDermott, Pierson, Porter, Ralston, Sullivan, Waite. Total 10.

The Speaker: Ninety-one have voted "aye," none have voted "no"; House Bill No. 110 has passed the House.

House Bill No. 326, introduced by Reardon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Arnold, Balgord, Ballard, Beadle, Berneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harle Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lavis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mon, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pteram, Quamme, Ralston, Reardon (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: Anderson and Spangler. Total 2.

Absent and not voting: Besancon, Blankenbaker, Cusker, Freed, Gagne (Fergus), Marshall, Parker (Flathead), Pierson, Porter, Ragen, Rardon (Deer Lodge), Rolph, Sullivan, Trenne, Watson (Meagher). Total 15.

The Speaker: Eighty-four have voted "aye," 2 have voted "no"; House Bill No. 326 has passed the House.

House Bill No. 335, introduced by Marshall, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Duan, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Gens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Llan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mon, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nss, Nelstead, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Rll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Abrahamson, Groene (Fergus), Miles, Replogle. Total 4.

Absent and not voting: Ballard, Bjorneby, Cusker, Daugherty, Ferry, Nutting, Parker (Flathead), Pierson, Ragen, Stevens (Wheatland), Sullivan, Watson (Meagher). Total 12.

The Speaker: Eighty-five have voted "aye," 4 have voted "no"; House B. No. 335 has passed the House.

House Bill No. 261, introduced by Committee on Public Health and Sanitary Affairs, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Givens, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Knowles, Kruse, Lewis, Logan, Lott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Moss, Nelstead, Nutting, Parker (Broadwater), Pilgeram, Ralston, Rearden (Cascade), Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 88.

Noes: Ferry, Harrington, Hilger, Jensen, Love, McCarvel, Miles, Miller (Lincoln), Mulholland, O'Connell, O'Shea, Quamme, Ragen, Reardon (Deer Lodge), Roplegle. Total 15.

Absent and not voting: Beadle, Bjerneby, Blankenbaker, Freudens, Goodwin, Groene (Fergus), Holecek, Kuhl, Larsen, McDermott, Nass, Parker (Flathead), Pierson, Porter, Roll, Strange, Sullivan, Waite. Total 8.

The Speaker: Sixty-eight have voted "aye," 15 have voted "no," House Bill No. 261 has passed the House.

House Bill No. 301, introduced by Harlen, by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrnes, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Shannon, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Freed, Groene (Fergus), Knowles, Mason, Moss, Pierson, Porter, Quamme, Roll, Rolph, Snidow, Sullivan, Trenne. Total 13.

The Speaker: Eighty-eight have voted "aye", none have voted "no"; House Bill No. 301 has passed the House.

House Bill No. 293, introduced by Stevens by request, having been read three several times, title and history agreed to, was defeated by the following vote;

Ayes; Acher, Beadle, Besancon, Byrne, Campbell, Chapman, Conner, Doe, Duffy, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Haight, Harlen, Harrington, Hilger, Holecek, Love, McCarvel, McDermott, McElwain, Miles, Miller (Lincoln), Mulholland, O'Connell, Rearden (Cascade), Reardon (Deer Lodge), Roll, Sparling, Stephens (McCone), Stiefel, Sullivan, White, Wigal. Total 38.

Noes: Anderson, Annin, Arnold, Balgord, Ballard, Bjerneby, Blankenbaker, Breitenstein, Cusker, Daugherty, Findlater, Givens, Grabow, Green (Dawson), Hagerty, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Marshall, Mason, Miller (Big Horn), Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Woodcock. Total 52.

Absent and not voting: Abrahamson, Doran, Groene (Fergus), Knowles, Manning, Metlen, Moss, Pierson, Rolph, Stevens (Wheatland), Mr Speaker. Total 11.

The Speaker: Thirty-eight have voted "aye", 52 have voted "no"; House Bill No. 293 has failed to pass the House.

House Bill No. 197, introduced by Shannon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Krue, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Shannon, Snidow, Sorville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), White, Wild, Woodcock, Mr. Speaker. Total 86.

Noes: Daugherty, Holecek, Miles, Rolph, Whaley. Total 5.

Absent and not voting: Chapman, Groene (Fergus), Knowles, Moss, Paier (Flathead), Pierson, Pilgeram, Setzer, Stevens (Wheatland), Waite. Total 10.

The Speaker: Eighty-six have voted "aye", 5 have voted "no"; House Bill No. 197 has passed the House.

House Bill No. 275, introduced by Fitzstephens, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Kruse, Kuhl, Larsen, Logan, Lott, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Sorville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Daugherty, Hilger, Lewis, McElwain, O'Shea, Ragen. Total 6.

Absent and not voting: Besancon, Doe, Doran, Freed, Freudenstein, Groene (Fergus), Knowles, Love, Parker (Broadwater), Pierson, Pilgeram, Setzer, Shannon, Snidow, Strange, Sullivan. Total 16.

The Speaker: Seventy-nine have voted "aye", 6 have voted "no"; H. B. No. 275 has passed the House.

House Bill No. 203, introduced by Committee on Highways, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beale, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Doe, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Givens, Grabow, Groene (Fergus), Hagerty, Harlen, Hilger, Holecek, Jensen, Larsen, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Lincoln), O'Connell, Parker (Broadwater), Pier-

son, Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Waite, White, Wigal, Woodcock, Mr. Speaker. Total 66.

Noes: Annin, Chapman, Daugherty, Freudenstein, Goodwin, Green (Dawson), Haight, Harrington, Knowles, Kruse, Kuhl, Lewis, Metlen, Miles, Miller (Big Horn), Mulholland, Nelstead, O'Shea, Parker (Flathead), Ragen, Rolph, Schuster, Watson (Missoula). Total 23.

Absent and not voting: Doran, Ferry, Freed, Logan, Moss, Nass, Nutting, Rearden (Cascade), Strange, Sullivan, Watson (Meagher), Whaley. Total 12.

The Speaker; Sixty-seven have voted "aye", 23 have voted "no"; H. B. No. 203 has passed the House.

House Bill No. 131, introduced by Hilger and Ragen, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Campbell, Chapman, Conner, Daugherty, Ecton, Findlater, Fitzstephens, Freed, Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, McCarvel, Mason, Miller (Big Horn), Miller (Lincoln), Miles, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Quamme, Ragen, Ralston, Reardon (Deer Lodge), Rognlien, Schuster, Setzer, Shannon, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne Ueland, Watson (Meagher), Whaley, Wigal. Total 62.

Noes: Arnold, Ballard, Breitenstein, Byrne, Cusker, Duffy, Fey, Givens, Grabow, Groene (Fergus), Jensen, Lott, Manning, Marshall, Metlen, Miles, Nutting, Parker (Broadwater), Pierson, Pilgeram, Porter, Rearden (Cascade), Replogle, Roll, Rolph, Snidow, Watson (Missoula), Woodcock, Mr. Speaker. Total 29.

Absent and not voting: Doran, Fowler, Freudenstein, Harrington, Love, McDermott, McElwain, Sparling, Sullivan, Waite. Total 10.

The Speaker; Sixty-one have voted "aye", 29 have voted "no"; H. B. No. 131 has passed the House.

House Bill No. 184, introduced by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Annin, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Grabow, Groene (Fergus), Harlen, Harrington, Hilger, Jensen, Kruse, Larsen, McCarvel, McDermott, McElwain, Manning, Metlen, Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Waite, Whaley, White, Wigal, Mr. Speaker. Total 60.

Noes: Abrahamson, Anderson, Arnold, Balgord, Conner, Cusker, Daugherty, Doe, Goodwin, Green (Dawson), Hagerty, Haight, Holecek, Kuhl, Lewis, Logan, Lott, Love, Marshall, Mason, Miles, Miller, Nass, O'Shea, Ralston, Setzer, Shannon, Spangler, Sparling, Strange, Ueland, Watson (Meagher), Woodcock. Total 33.

Absent and not voting: Blankenbaker, Doran, Knowles, Moss, Porter, Roll, Trenne, Watson (Missoula). Total 8.

The Speaker; Sixty have voted "aye", 33 have voted "no"; H. B. No. 184 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders. Seconded. Carried.

Besancon in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration H. J. M. No. 10, House Bills Nos. 262, 202, 218, H. J. R. No. 3, Sub. H. B. No. 113, H. B. No. 266 and H. J. M. No. 6, respectfully report and recommend as follows:

That H. J. M. No. 10 do pass.

That H. B. No. 262 do pass.

That H. B. No. 202 do pass.

That H. B. No. 218 have enacting clause stricken.

That H. J. R. No. 3 do pass.

That Sub. H. B. No. 113 be amended as follows: In Section 15, by striking out in line 4 the words and figures "one-quarter ($\frac{1}{4}$)" and inserting in lieu thereof the words and figures "one-half ($\frac{1}{2}$)," and by striking out in lines 5 and 6 the following words and figures "and one-quarter ($\frac{1}{4}$) thereof to the common school equalization fund of the state," and that as so amended, the bill do pass.

That H. B. No. 266 have enacting clause stricken.

That H. J. M. No. 6 do pass.

BESANCON, Chairman."

On motion by Besancon, report adopted.

THIRD READING OF HOUSE BILLS

House Bill No. 296, introduced by Shannon, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Groene (Egus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kivles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Poyer, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Scherville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stifel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Wilson (Missoula), Whaley, White, Wigal. Total 89.

Noes: None.

Absent and not voting: Anderson, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doran, Green (Dawson), Woodcock, Mr. Speaker. Total 12.

The Speaker: Eighty-nine have voted "aye," none have voted "no"; H. B. No. 296 has passed the House.

House Bill No. 319, introduced by Committee on Insurance, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson),

Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Pierson (Broadwater), Pierson, Pilgeram, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Ballard, Doe, Harlen, Lewis, Miles, Miller (Lincoln), Quamme, Ralston, Replogle, Spangler. Total 10.

Absent and not voting: Duffy, Freed, Givens, Porter, Rolph. Total 5.

The following "passed": Holecek. Total 1.

The Speaker: Eighty-five have voted "aye," 10 have voted "no." H. B. No. 319 has passed the House.

Sub. House Bill No. 189, introduced by Committee on Judiciary, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Green, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Daugherty, Love, Porter, Roll, Rolph, Sullivan, Waite. Total 7.

The Speaker: Ninety-four have voted "aye," none have voted "no." Sub. H. B. No. 189 has passed the House.

Sub. House Bill No. 113, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Besancon, Bjorneby, Blankenbaker, Byrne, Conner, Cusker, Ecton, Findlater, Fitzstephens, Fowler, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Larsen, Lewis, Logan, Lott, McCarvel, Marshall, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Nelstead, Nutting, Pierson, Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Ueland, Waite, Watson (Meagher), Watson (Missoula), Woodcock, Mr. Speaker. Total 56.

Noes: Annin, Ballard, Beadle, Breitenstein, Campbell, Chapman, Daugherty, Doe, Duffy, Ferry, Freed, Goodwin, Harrington, Holecek, Jensen, Knowles, Kruse, Kuhl, Love, McDermott, McElwain, Manning, Miles, Moss, Mulholland, Nass, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Ragen, Rearden (Cascade), Roll, Rolph, Schuster, Sparling, Stevens (Wheatland), Strange, Sullivan, Trenne, Whaley, White, Watson. Total 43.

Absent and not voting: Doran, Freudenstein. Total 2.

The Speaker: Fifty-six have voted "aye," 43 have voted "no"; Sub. B. No. 113 has passed the House.

MOTIONS AND RESOLUTIONS

Moss: Move all bills recommended for passage in the Committee of the Whole be considered correctly engrossed and placed on Third Reading. Carried.

THIRD READING OF HOUSE BILLS

Sub. House Bill No. 127, introduced by Balgord by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Lincoln), Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Shannon, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Tiefel, Strange, Sullivan, Trenne, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Freed, Holecek. Total 2.

Absent and not voting: Abrahamson, Breitenstein, Duffy, Haight, Love, Miles, Pierson, Ragen, Roll, Rolph, Setzer, Somerville, Ueland, Waite. Total 14.

The Speaker: Eighty-five have voted "aye," 2 have voted "no"; Sub. B. No. 127 has passed the House.

House Bill No. 173, introduced by Groene, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Conner, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Hilger, Jensen, McCarvel, Manning, Mason, Metlen, Miller (Lincoln), Nelstead, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Shannon, Snidow, Somerville, Sparling, Tiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal. Total 53.

Noes: Ballard, Beadle, Chapman, Daugherty, Doe, Duffy, Ecton, Freed, Holecek, Knowles, Kruse, Kuhl, Lewis, Lott, Love, McElwain, Miles, Miller (Big Horn), Mulholland, Nass, O'Connell, O'Shea, Parker (Flathead), Rolph, Schuster, Stephens (McCone), Stevens (Wheatland), Strange, Whaley, Woodcock. Total 30.

Absent and not voting: Byrne, Cusker, Doran, Haight, Harlen, McDermott, Marshall, Moss, Nutting, Ralston, Replogle, Roll, Setzer, Spangler, Sullivan, Mr. Speaker. Total 18.

The Speaker: Fifty-three have voted "aye", 30 have voted "no"; H. B. No. 173 has passed the House.

House Bill No. 225, introduced by Committee on State Lands, having been read three several times, history and title agreed to, was passed by the following vote;

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 86.

Noes: Cusker. Total 1.

Absent and not voting: Besancon, Bjorneby, Daugherty, Doran, Freudenstein, Givens, McDermott, Mason, O'Connell, Parker (Broadwater), Rolph, Strange, Sullivan, Woodcock. Total 14.

The Speaker; Eighty-six have voted "aye", 1 has voted "no", H. No. 225 has passed the House.

House Bill No. 166, introduced by Mulholland, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harrington, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McElwain, Manning, Marshall, Mason, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Setzer, Shannon, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: Annin, Arnold, Balgord, Green (Dawson), Hilger, Miller (Big Horn), Nutting, Porter, Snidow, White. Total 10.

Absent and not voting: Anderson, Breitenstein, Doran, Freed, Harlen, Knowles, Love, McDermott, Metlen, O'Connell, Replogle, Rolph, Stiefel, Sullivan, Watson (Missoula). Total 15.

The Speaker; Seventy-six have voted "aye", 10 have voted "no"; B. No. 166 has passed the House.

House Bill No. 221, introduced by Somerville, having been read the several times, title and history agreed to, has passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Hilger, Kruse, Kuhl, Larsen, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden, (Cascade), Replogle, Rognlien, Roll, Rolph, Setzer, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: Holecek. Total 1.

Absent and not voting: Arnold, Bjorneby, Campbell, Doran, Ferry, Fowler, Freudenstein, Hagerty, Jensen, Knowles, Lewis, Lott, Metlen, Ralston, Rearden (Deer Lodge), Schuster, Shannon, Snidow, Sparling, Sullivan, Waite. Total 21.

The Speaker: Seventy-nine have voted "aye", 1 has voted "no"; H. B. No. 221 has passed the House.

House Bill No. 331, introduced by the Committee on Ways and Means, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene, Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Somerville, Spangler, Sparling, Stevens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 88.

Noes: Doe, Holecek, Shannon. Total 3.

Absent and not voting; Abrahamson, Acher, Arnold, Blankenbaker, Bran, Ferry, Goodwin, Knowles, Lott, Moss, Nass, Ragen, Rolph, Snidow, Stevens (Wheatland), Sullivan, Mr. Speaker. Total 17.

The Speaker: Eighty-one have voted "aye", 3 have voted "no"; H. B. No. 331 has passed the House.

House Bill No. 208, introduced by Breitenstein, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Abrahamson, Annin, Arnold, Ballard, Beadle, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Harlen, Kruse, Kuhl, Larsen, Logan, Love, McCarvel, McDermott, Marshall, Mason, Metlen, Moss, Mulholland, Nelstead, Nutting, Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Reardon (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Setzer, Shannon, Somerville, Sparling, Stiefel, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 53.

Noes: Conner, Cusker, Daugherty, Duffy, Ecton, Ferry, Findlater, Freed, Green (Dawson), Hagerty, Hilger, Holecek, Jensen, Knowles, Lewis, McElwain, Manning, Miles, Miller (Big Horn), Miller (Lincoln), O'Shea, Parker (Flathead), Quamme, Ralston, Replogle, Rolph, Schuster, Spangler, Stephens (McCone), Stevens (Wheatland), Strange, Whaley. Total 32.

Absent and not voting: Acher, Anderson, Balgord, Besancon, Doe, Bran, Freudenstein, Groene (Fergus), Haight, Harrington, Lott, Nass, O'Connell, Snidow, Sullivan, Trenne. Total 16.

The Speaker; Fifty-three have voted "aye", 32 have voted "no"; H. B. No. 208 has passed the House.

House Bill No. 220, introduced by Watson of Meagher, Somerville, and Grabow, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Doe, Ecton, Fitzstephens, Fowler, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Hilger, Jensen, Knowles, Kruse, Larsen, Logan, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Nelstead, Nutting,

Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quam, Ragen, Ralston, Rearden, (Cascade), Replogle, Rognlien, Roll, Schuster, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 72.

Noes: Ballard, Beadle, Cusker, Daugherty, Ferry, Harrington, Holecek, Kuhl, Miles, Mulholland, O'Connell, O'Shea, Reardon (Deer Lodge). Total 13.

Absent and not voting: Conner, Doran, Duffy, Findlater, Freed, Freudenstein, Givens, Haight, Lewis, Lott, Love, Nass, Porter, Rolph, Sullivan, Waite. Total 16.

The Speaker: Seventy-two have voted "aye", 13 have voted "no"; B. No. 220, has passed the House.

House Bill No. 263, introduced by Parker of Flathead, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Abrahamson, Acher, Anderson, Annin, Beadle, Besanco, Blankenbaker, Byrne, Chapman, Conner, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Holecek, Jensen, Knowles, Krus, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 77.

Noes: Arnold, Campbell, Doe, Ferry, Harrington, Nass, Reardon (Cascade). Total 7.

Absent and not voting: Balgord, Ballard, Bjorneby, Breitenstein, Cusker, Daugherty, Doran, Groene (Fergus), Hilger, Marshall, O'Connell, O'Shea, Rolph, Somerville, Strange, Trenne, Woodcock. Total 17.

The Speaker: Seventy-seven have voted "aye", 7 have voted "no"; B. No. 263 has passed the House.

House Bill No. 133, introduced by Goodwin, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Beadle, Besanco, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Groene (Fergus), Haight, Harlen, Harrington, Holecek, Jensen, Knowles, Krus, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Miller (Lincoln), Moss, Mulholland, O'Connell, Pierson, Pilgeram, Porter, Ralston, Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Shannon, Stephens (McCone), Trenne, Waite, Woodcock, Mr. Speaker. Total 57.

Noes: Conner, Daugherty, Fitzstephens, Grabow, Green (Dawson), Hilger, Kuhl, Miles, Miller (Big Horn), Nass, Nelstead, Nutting, O'Shea, Quamme, Rognlien, Somerville, Stevens (Wheatland), Stiefel, Strange, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal. Total 25.

Absent and not voting: Annin, Balgord, Ballard, Bjorneby, Cusker, Doe, Doran, Hagerty, Marshall, Metlen, Parker (Flathead), Parker (Broadwater), Ragen, Reardon (Cascade), Setzer, Snidow, Spangler, Sparling, Sullivan. Total 19.

The Speaker: Fifty-seven have voted "aye", 25 have voted "no"; H.B. No. 133 has passed the House.

Sub. House Bill No. 183, introduced by Committee on State Lands, having been read three several times, title and history agreed to, has passed the House.

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, McCarvel, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Broadwater), Pierse, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stiefel, Strange, Sullivan, Ueland, Waite, Watson (Meagher), Watson (Issoula), White, Wigal, Mr. Speaker. Total 81.

Noes; Manning, Ralston, Spangler, Stephens (McCone). Total 4.

Absent and not voting: Annin, Besancon, Byrne, Doran, Larsen, Love, McDermott, Moss, O'Shea, Parker (Flathead), Reardon (Deer Lodge), Rolph, Stevens (Wheatland), Trenne, Whaley, Woodcock. Total 16.

The Speaker; Eighty-one have voted "aye", 4 have voted "no"; H.B. No. 183 has passed the House.

House Bill No. 185, introduced by Haight, having been read three several times, title and history agreed to, failed of passage by following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Besancon, Blankenbaker, Breitenstein, Byrne, Chapman, Doe, Doran, Duffy, Ecton, Freed, Freudenstein, Givens, Goodwin, Haight, Harrington, Hilger, Holecek, Kruse, Lewis, Loan, Love, McElwain, Manning, Metlen, Miles, Mulholland, Nelstead, Nutting, O'Connell, Pilgeram, Porter, Ragen, Ralston, Replogle, Setzer, Shannon, Spangler, Stephens (McCone), Stevens (Wheatland), Sullivan, Thine, Waite, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 52.

Noes: Arnold, Balgord, Beadle, Campbell, Conner, Cusker, Daugherty, Ferry, Findlater, Fitzstephens, Grabow, Groene (Fergus), Hagerty, Harlen, Jensen, Knowles, Kuhl, Larsen, Lott, McCarvel, McDermott, Marshall, Mason, Miller (Big Horn), Nass, O'Shea, Parker (Broadwater), Pierse, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Snidow, Somerville, Sparling, Stiefel, Strange, Ueland, Watson (Issoula). Total 41.

Absent and not voting: Ballard, Bjorneby, Fowler, Green (Dawson), Groene (Lincoln), Moss, Parker (Flathead), Rolph. Total 8.

The Speaker: Fifty-two have voted "aye", 41 have voted "no"; House Bill No. 185 has passed the House.

House Bill No. 253, introduced by Committee on State Lands, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Larsen, Lewis, Logan, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell,

O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Ragnlien, Roll, Rolph, Schuster, Setzer, Shannon, Somerville, Spangler, Stephens (McCone), Sparling, Stiefel, Strange, Trenne, Ueland, Wigal, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 79.

Noes: Abrahamson, Kuhl, Snidow. Total 3.

Absent and not voting: Balgord, Cusker, Doran, Freudenstein, Hansen, Knowles, Kruse, Lott, Love, Miller (Big Horn), Nutting, Paer (Broadwater), Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Stevens (Wheatland), Sullivan, Woodcock. Total 19.

The Speaker; Seventy-nine have voted "aye", 3 have voted "no" H. B. No. 253 has passed the House.

House Bill No. 234, introduced by O'Connell, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Annin, Arnold, Beadle, Besancon, Bjorøy, Blankenbaker, Breitenstein, Campbell, Conner, Cusker, Duffy, Eton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Jensen, Knowles, Kuhl, Logan, McCarvel, McDermott, McElwain, Marshall, Mason, Nelstead, O'Connell, Parker (Broadwater), Pilgeram, Porter, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Sparling, Stiefel, Strange, Sullivan, Waite, Watson (Meagher), Whaley, White, Wigal, Mr. Speaker. Total 59.

Noes: Acher, Balgord, Ballard, Chapman, Daugherty, Hilger, Kase, Lewis, Miles, Miller (Big Horn), Nutting, O'Shea, Parker (Flathead), Rognlien, Ueland. Total 15.

Absent and not voting: Anderson, Byrne, Doe, Doran, Freed, Freudenstein, Grabow, Green (Dawson), Holecek, Larsen, Manning, Meen, Miller (Lincoln), Moss, Mulholland, Nass, Pierson, Ragen, Ralston, Roll, Setzer, Stephens (McCone), Stevens (Wheatland), Trenne, Watson (Missoula), Woodcock. Total 27.

The Speaker: Fifty-nine have voted "aye", 15 have voted "no"; House Bill No. 234 has passed the House.

House Bill No. 314, introduced by Manning and Metlen, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Eton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller, Miller (Lincoln), Moss, Mulholland, O'Shea, Parker (Flathead), Parker, Pierson, Pilgeram, Porter, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 73.

Noes; Miles, Nass, White. Total 3.

Absent and not voting: Ballard, Blankenbaker, Doran, Fowler, Freed, Grabow, Groene (Fergus), Haight, Holecek, Knowles, Larsen, Lewis, Lott, Nelstead, Nutting, O'Connell, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Rolph, Stevens (Wheatland), Strange, Sullivan, Whaley. Total 25.

The Speaker; Seventy-three have voted "aye", 3 have voted "no"; House Bill No. 314 has passed the House.

House Bill No. 182, introduced by Nutting, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes; Anderson, Annin, Arnold, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Duffy, Eon, Ferry, Findlater, Fitzstephens, Freed, Givens, Goodwin, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecck, Fowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Snidow, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker: Total 74.

Noes: Jensen, Miller (Big Horn), Nass, Quamme. Total 4.

Absent and not voting: Abrahamson, Acher, Balgord, Ballard, Cusker, Daugherty, Doran, Fowler, Freudenstein, Grabow, Harrington, Larsen, Miller (Lincoln), Moss, O'Connell, Ragen, Rearden (Cascade), Rolph, Snerville, Spangler, Sparling, Stephens (McCone), Sullivan. Total 23.

The Speaker: Seventy-four have voted "aye", 4 have voted "no"; H. B. No. 182 has passed the House.

House Bill No. 339, introduced by Committee on Revenue and Taxation, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Acher, Anderson, Annin, Arnold, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Duffy, Eon, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Gen (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hger, Jensen, Knowles, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Sange, Trenne, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: Lewis, Nass, Pierson, Porter, Quamme, Sparling, Ueland. Total 7.

Absent and not voting: Abrahamson, Balgord, Ballard, Cusker, Daugherty, Doe, Doran, Ferry, Freudenstein, Holecck, McDermott, Nutting, Ralston, Rolph, Shannon, Snidow, Sullivan, Waite. Total 18.

The Speaker; Seventy-six have voted "aye", 7 have voted "no"; H. B. No. 339 has passed the House.

House Bill No. 190, introduced by the Committee on Economy, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Harrington, Hger, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott Love, McCarvel, McElwain, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Rearden (Cascade), Replogle, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Mulholland, Mr. Speaker. Total 76.

Noes; Abrahamson, Cusker, Ecton, Findlater, Nass. Total 5.

Absent and not voting; Balgord, Byrne, Doran, Hagerty, Harlen, Holecek, McDermott, Miles, Moss, Nelstead, Nutting, Quamme, Ralston, Reardon (Deer Lodge), Rognlien, Rolph, Strange, Sullivan, Waite, Watson (Meagher). Total 20.

The Speaker: Seventy-six have voted "aye", 5 have voted "no"; House Bill No. 190 has passed the House.

House Bill No. 135, introduced by Porter, Watson of Missoula, Wigal, Roll and Jensen, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Jensen, Larsen, Logan, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Broadwater), Pierson, Pilgeram, Porter, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Somerville, Spangler, Sparling, Stephens (McCone), Sullivan, Waite, Watson (Meagher), White, Wigal, Mr. Speaker. Total 60.

Noes: Anderson, Annin, Arnold, Daugherty, Freed, Goodwin, Haight, Hilger, Holecek, Knowles, Kuhl, Lewis, Miller (Big Horn), O'Shea, Quamme, Ragen, Setzer, Stevens (Wheatland), Trenne, Ueland, Whaley, Woodcock. Total 22.

Absent and not voting; Balgord, Ballard, Beadle, Doran, Grabow, Harrington, Kruse, Lott, McDermott, Miles, Miller (Lincoln), Parker (Ferryhead), Ralston, Rolph, Shannon, Snidow, Stiefel, Strange, Watson (Missoula). Total 19.

The Speaker: Sixty-nine have voted "aye", 22 have voted "no"; House Bill No. 135 has passed the House.

House Bill No. 210, introduced by Fowler, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Annin, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Conner, Doe, Doran, Fitzstephens, Freed, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Kruse, Lewis, Lott, Love, McElwain, Metlen, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Pierson, Pilgeram, Porter, Quamme, Ragen, Rognlien, Schuster, Shannon, Snidow, Somerville, Spangler, Spilling, Stephens (McCone), Stevens (Wheatland), Strange, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Mr. Speaker. Total 55.

Noes: Anderson, Arnold, Cusker, Daugherty, Ecton, Ferry, Givens, Goodwin, Grabow, Jensen, Larsen, McDermott, Marshall, Mason, Reardon (Cascade), Replogle, Watson (Missoula), Woodcock. Total 18.

Absent and not voting; Abrahamson, Acher, Balgord, Breitenstein, Campbell, Chapman, Duffy, Findlater, Freudenstein, Harlen, Knowles, Kuhl, Logan, McCarvel, Manning, Miles, Miller (Lincoln), Parker (Ferryhead), Parker (Broadwater), Ralston, Reardon (Deer Lodge), Roll, Rolph, Setzer, Stiefel, Sullivan, Trenne. Total 27.

The following "passed"; Fowler.

The Speaker: Fifty-five have voted "aye", 18 have voted "no"; House Bill No. 210 has passed the House.

House Bill No. 138, introduced by Doe, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Haight,

Harrington, Hilger, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McElwain, Manning, Metlen, Miles, Mulholland, Nass, Nelstead, Nutting, O'Connell, Pierson, Pilgeram, Porter, Quamme, Ralston, Schuster, Setzer, Snidow, Somerville, Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 67.

Noes: Balgord. Total 1.

Absent and not voting: Ballard, Conner, Duffy, Ecton, Groene (Fergus), Hagerty, Harlen, Holecek, Jensen, Love, McCarvel, McDermott, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Moss, O'Shea, Parker (Flathead), Parker (Broadwater), Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Shannon, Spangler, Stephens (McCone), Whaley, Woodcock. Total 33.

The Speaker; Sixty-seven have voted "aye"; 1 has voted "no"; House Bill No. 138 has passed the House.

House Bill No. 341, introduced by the Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McElwain, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, Pierson, Pilgeram, Porter, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Stephens (McCone), Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 80.

Noes: Holecek. Total 1.

Absent and not voting: Ballard, Besancon, Doran, Logan, McDermott, Manning, Metlen, Miles, Nass, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Ragen, Ralston, Shannon, Sparling, Stevens (Wheatland), Stiefel, Strange. Total 20.

The Speaker; Eighty have voted "aye", 1 has voted "no"; House Bill No. 341 has passed the House.

House Bill No. 310, introduced by Rognlien, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Doe, Liffy, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McElwain, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, O'Connell, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Stevens (Wheatland), Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 75.

Noes: Cusker, Daugherty, Holecek, Spangler. Total 4.

Absent and not voting: Acher, Ballard, Chapman, Doran, Fitzstephens, Fowler, Jensen, Larsen, McDermott, Manning, Mason, Nass, Nelstead, Nutting, Parker (Broadwater), Ragen, Ralston, Sparling, Stephens (McCone), Stiefel, Strange, Sullivan. Total 22.

The Speaker; Seventy-five have voted "aye," 4 have voted "no"; House Bill No. 310 has passed the House.

House Bill No. 340, introduced by the Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beaman, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Setter, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 90.

Noes: Nass: Total 1.

Absent and not voting: Ballard, Doran, Fitzstephens, Fowler, Kruse, Manning, Miller (Lincoln), Nelstead, Schuster, Sparling. Total 10.

The Speaker: Ninety have voted "aye", 1 has voted "no"; House Bill No. 340 has passed the House.

House Bill No. 337, introduced by the Committee on Appropriations, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Duffy, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Jensen, Knowles, Larsen, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Setter, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 84.

Noes. None.

Absent and not voting: Annin, Ballard, Daugherty, Doran, Fitzstephens, Fowler, Harlen, Holecek, Kruse, Kuhl, Lewis, McDermott, Pierson, Reardon (Deer Lodge), Rolph, Sparling, Mr. Speaker. Total 17.

The Speaker: Eighty-four have voted "aye"; none have voted "no"; House Bill No. 337 has passed the House.

House Bill No. 287, introduced by Abrahamson, having been read the several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Doran, Duffy, Ecton, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Knowles, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, Parker (Flathead), Porter, Ragen, Replogle, Rognlien, Roll, Schuster, Shannon, Snidow, Somerville, Stephens (McCone), Strange, Trenne, Ueland, Waite, Watson (Meagher), White, Wigal, Mr. Speaker. Total 66.

Noes: Jensen, Lewis, O'Connell, O'Shea, Pilgeram, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Spangler, Stevens (Wheatland), Stiefel, Waley. Total 12.

Absent and not voting: Ballard, Beadle, Besancon, Conner, Cusker, Fry, Findlater, Fitzstephens, Fowler, Freed, Grabow, Groene (Fergus), Heczek, Kruse, Parker (Broadwater), Pierson, Ralston, Rolph, Setzer, Spurling, Sullivan, Watson (Missoula), Woodcock. Total 23.

The Speaker: Sixty-six have voted "aye", 12 have voted "no"; House Bill No. 287 has passed the House.

House Bill No. 120, introduced by McCarvel by request, having been read three several times, title and history agreed to, was passed by the following vote;

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Besancon, Brneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Digherty, Doe, Duffy, Ecton, Ferry, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holeccek, Jensen, Knowles, Kruse, Kuhl, Larsen, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Mler (Lincoln), Moss, Mulholland, Nelstead, O'Connell, O'Shea, Parker (Flathead), Pierson, Rearden (Cascade), Replogle, Rognlien, Setzer, Shann, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, Sange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 73.

Noes: Lewis, Love, Nass, Quamme, Ragen, Ralston, Rolph, Schuster, Spangler, Whaley. Total 10.

Absent and not voting; Balgord, Ballard, Beadle, Conner, Doran, Findlater, Fitzstephens, Fowler, Freed, Goodwin, Harlen, Nutting, Parker (Broadwater), Pilgeram, Porter, Reardon (Deer Lodge), Roll, Sparling. Total 18.

The Speaker: Seventy-three have voted "aye", 10 have voted "no"; House Bill No. 120 has passed the House.

House Bill No. 122, introduced by Porter, Watson of Missoula, Roll, Wigal, and Jensen, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Annin, Arnold, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Doe, Duffy, Ecton, Ferry, Fitzstephens, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Jensen, Kruse, Kuhl, Lt, Love, McDermott, Manning, Metlen, Nass, Pierson, Pilgeram, Porter, Quamme, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Shann, Snidow, Somerville, Spangler, Stiefel, Strange, Trenne, Waite, Watson (Missoula), Wigal. Mr. Speaker. Total 48.

Noes: Anderson, Balgord, Chapman, Conner, Cusker, Daugherty, Hight, Harrington, Hilger, Holeccek, Larsen, Logan, McElwain, Miles, Miller (Big Horn), Mulholland, Nelstead, O'Connell, O'Shea, Parker (Flathead), Ragen, Ralston, Rolph, Setzer, Sparling, Stevens (Wheatland), Ueland, Waley, Woodcock. Total 29.

Absent and not voting: Acher, Ballard, Beadle, Byrne, Doran, Findlater, Fowler, Freed, Freudenstein, Green (Dawson), Knowles, Lewis, McCavel, Marshall, Mason, Miller (Lincoln), Moss, Nutting, Parker (Broadwater), Rearden (Cascade), Stephens (McCone), Sullivan, Watson (Meagher), White. Total 24.

The Speaker: Forty-eight have voted "aye", 29 have voted "no"; House Bill No. 122 has passed the House.

Substitute House Bill No. 216, introduced by the Committee on Dairying, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Bjorneby, Breitenstein, Byrne, Campbell, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Hilger, Jensen, Knowles, Kuhl, Larsen, Logan, McCarvel, Manning, Mason, Miles, Miller (Big Horn), Moss, Mulholland, Nelstead, O'Connell, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Replogle, Rognlien, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 64.

Noes: Cusker, Haight, Holecek, Miller (Lincoln), Nass, Ragen, Schuster, Setzer, Whaley. Total 9.

Absent and not voting: Ballard, Besancon, Blankenbaker, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Freudenstein, Harrington, Kruse, Lewis, Lott, Love, McDermott, McElwain, Marshall, Metlen, Nutting, Parker (Broadwater), Reardon (Deer Lodge), Roll, Rolph, Stevens (Wheatland), Strange, Sullivan, Woodcock. Total 28.

The Speaker; Sixty-four have voted "aye", 9 have voted "no"; Substitute House Bill No. 216 has passed the House.

Substitute House Bill No. 264, introduced by the Committee on Education having been read three several times, title and history agreed to, was passed by the following vote;

Ayes; Anderson, Annin, Arnold, Beadle, Besancon, Bjorneby, Breitenstein, Campbell, Chapman, Doran, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Jensen, Kruse, Larsen, Lewis, Logan, Lt. McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Parker (Flathead), Parker (Broadwater), Porter, Quamme, Ragen, Ralston, Rognlien, Setzer, Somerville, Spangler, Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 60.

Noes; Abrahamson, Acher, Byrne, Conner, Cusker, Daugherty, Duffy, Fowler, Goodwin, Harlen, Holecek, Kuhl, Love, Miles, Nass, Nutting, O'Connell, O'Shea, Pierson, Pilgeram, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Shannon, Snidow, Spangler, White, Whaley. Total 32.

Absent and not voting; Balgord, Ballard, Blankenbaker, Fitzstephens, Knowles, Mason, Stephens (McCone), Stevens (Wheatland), Sullivan. Total 9.

The Speaker: Sixty have voted "aye", 32 have voted "no"; Substitute House Bill No. 264 has passed the House.

House Bill No. 139, introduced by Blankenbaker and Moss, having been read three several times, title and history agreed to, failed to pass the House, the vote being as follows:

Ayes: Annin, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Duffy, Ecton, Fitzstephens, Freed, Groene (Fergus), Haight, Harlen, Hilger, Jensen, Love, Metlen, Miller (Lincoln), Moss, Nelstead, Nutting, Pierson, Pilgeram, Quamme, Rognlien, Roll, Setzer, Snidow, Stephens (McCone), Stiefel, Trenne, Watson (Missoula), White, Mr. Speaker. Total 35.

Noes: Balgord, Byrne, Cusker, Daugherty, Doe, Doran, Ferry, Findlater, Freudenstein, Goodwin, Grabow, Green (Dawson), Hagerty, Harrington, Kruse, Larsen, Logan, McCarvel, McElwain, Manning, Marshall, Miles, Miller (Big Horn), Mulholland, Nass, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rolph, Shannon, Somerville, Spangler, Sparling, Stevens (Wheatland), Sullivan, Ueland, Waite, Watson (Meagher), Whaley, Woodcock. Total 45.

Absent and not voting; Abrahamson, Acher, Anderson, Arnold, Bald, Beadle, Fowler, Givens, Holecek, Knowles, Kuhl, Lewis, Lott, McDermott, Mason, Porter, Ragen, Schuster, Strange, Wigal. Total 20.

The Speaker: Thirty-five have voted "aye", 45 have voted "no"; H. No. 139 has failed to pass the House.

House Bill No. 262, introduced by Grabow, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Brneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Hilger, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Miles, Nelstead, O'Connell, Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Setzer, Snidow, Spangler, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 66.

Noes: Holecek, Knowles, Love, Miller (Big Horn), Mulholland, Nass, Sheehan, Sparling, Stevens (Wheatland). Total 9.

Absent and not voting; Abrahamson, Balgord, Doran, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Haight, Harlen, Larsen, Mason, Metlen, Miller (Lincoln), Moss, Nutting, Parker (Flathead), Pierson, Rognlien, Roll, Rolph, Schuster, Shannon, Somerville, Sullivan, Whaley. Total 2.

The Speaker: Sixty-six have voted "aye", 9 have voted "no"; House No. 262 has passed the House.

House Bill No. 202, introduced by Trenne by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Beadle, Besancon, Brneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Connell, Sheehan, Pierson, Pilgeram, Replogle, Rognlien, Schuster, Setzer, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 64.

Noes: Chapman, Doe, Green (Dawson), Haight, Hilger, Holecek, McCarvel, Mason, Nass, Parker (Flathead), Parker (Broadwater), Ragen, Spangler, Whaley. Total 15.

Absent and not voting: Balgord, Ballard, Doran, Duffy, Freudenstein, Harlen, Jensen, Knowles, McDermott, McElwain, Metlen, Moss, Porter, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Roll, Rolph, Shannon, Sparling, Waite, Woodcock. Total 22.

The Speaker: Sixty-four have voted "aye", 15 have voted "no"; House No. 202 has passed the House.

House Joint Resolution No. 6, introduced by Pilgeram, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Beadle, Besancon, Brneby, Blankenbaker, Breitenstein, Chapman, Conner, Doe, Duffy, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Haight, Harrington, Hilger, Jensen, Kruse, Kuhl, Manning, Metlen, Miles, Miller (Big

Horn), Mulholland, Nelstead, O'Connell, Pilgeram, Porter, Ralston, Reardon (Cascade), Replogle, Rognlien, Schuster, Setzer, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Wait, Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 51.

Noes: Byrne, Cusker, Daugherty, Findlater, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Holecek, Knowles, Larsen, Lott, McCarvel, Mason, Miller (Lincoln), Nutting, Parker (Broadwater), Quamme, Reardon (Deer Lodge), Somerville, Watson (Meagher), White. Total 3.

Absent and not voting: Acher, Balgord, Ballard, Campbell, Conner, Givens, Harlen, Lewis, Logan, Love, McDermott, McElwain, Marshall, Moss, Nass, O'Shea, Parker (Flathead), Pierson, Ragen, Roll, Rolph, Shannon, Snidow, Spangler, Sparling, Stevens (Wheatland), Sullivan. Total 27.

The Speaker: Fifty-one have voted "aye", 23 have voted "no", House Joint Resolution No. 6 has passed the House.

House Joint Memorial No. 10, introduced by the Committee on Federal Relations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besaran, Bjorneby, Breitenstein, Chapman, Cusker, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Holecek, Kruse, Kuhl, Lamm, McCarvel, McDermott, McElwain, Manning, Marshall, Miller (Lincoln), Mulholland, O'Connell, Pierson, Pilgeram, Porter, Ragen, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Spangler, Stephens (McCone), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 63.

Noes: Freudenstein, Jensen, Knowles, Quamme, Sparling, Wagoner (Meagher). Total 6.

Absent and not voting: Abrahamson, Ballard, Blankenbaker, Bye, Campbell, Conner, Daugherty, Doe, Doran, Freed, Givens, Harlen, Lott, Logan, Lott, Love, Mason, Metlen, Miles, Miller (Big Horn), Moss, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Shannon, Somerville, Stevens (Wheatland), Strange, Whaley. Total 2.

The Speaker: Sixty-three have voted "aye", 6 have voted "no"; House Joint Memorial No. 10 has passed the House.

House Bill No. 278, introduced by Stiefel by request, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Anderson, Annin, Arnold, Bjorneby, Blankenbaker, Breitenstein, Cusker, Doe, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Jensen, Larsen, Lewis, McCarvel, McElwain, Marshall, Metlen, Miller (Lincoln), Mulholland, O'Connell, Parker (Flathead), Pilgeram, Porter, Quamme, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Shannon, Spangler, Stephens (McCone), Stiefel, Strange, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 56.

Noes: Balgord, Beadle, Chapman, Daugherty, Ferry, Hilger, Holecek, Knowles, Kuhl, Logan, Lott, Manning, Miles, Miller (Big Horn), O'Shea, Stevens (Wheatland), Trenne, Whaley. Total 17.

Absent and not voting: Abrahamson, Acher, Ballard, Besaran, Byrne, Campbell, Conner, Doran, Freudenstein, Haight, Harlen, Kuehn, Love, McDermott, Mason, Moss, Nass, Nelstead, Nutting, Parker (Broadwater), Pierson, Ragen, Rolph, Snidow, Somerville, Sparling, Sullivan. Total 27.

The Speaker: Fifty-six have voted "aye," 18 have voted "no"; House Bill No. 278 has passed the House.

House Bill No. 295, introduced by Blankenbaker, having been read the several times, title and history agreed to, was defeated by the following vote:

Ayes: Balgord, Bjorneby, Blankenbaker, Campbell, Freudenstein, Giverson, Green (Dawson), Haight, Hilger, Jensen, Kruse, Lewis, McDermott, Ninstead, Parker (Flathead), Pilgeram, Rearden (Cascade), Rognlien, Singler, Waite, Woodcock, Mr. Speaker. Total 22.

Noes: Abrahamson, Acher, Anderson, Annin, Arnold, Beadle, Besancon, Breitenstein, Byrne, Chapman, Conner, Daugherty, Doe, Duffy, Ferry, Fillater, Fitzstephens, Fowler, Freed, Grabow, Hagerty, Harlen, Holecek, Kil, Larsen, Logan, Lott, Love, McElwain, Mason, Miles, Miller (Big Horn), Mulholland, O'Connell, Parker (Broadwater), Pierson, Quamme, Reen, Reardon (Deer Lodge), Roll, Schuster, Setzer, Somerville, Sparling, Stephens (McCone), Stiefel, Ueland, Watson (Meagher), Wigal. Total 49.

Absent and not voting: Ballard, Cusker, Doran, Ecton, Goodwin, Gene (Fergus), Harrington, Knowles, McCarvel, Manning, Marshall, Mettler, Miller (Lincoln), Moss, Nass, Nutting, O'Shea, Porter, Ralston, Repeloe, Rolph, Shannon, Snidow, Stevens (Wheatland), Strange, Sullivan, Thune, Watson (Missoula), Whaley, White. Total 30.

The Speaker: Twenty-two have voted "aye," 49 have voted "no"; House Bill No. 295 has failed to pass the House.

Besancon: Move the House now adjourn until 1:00 o'clock tomorrow afternoon. Seconded. Carried.

D. A. DELLWO,
Speaker.

A TEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-FIRST DAY

House of Representatives.
Helena, Montana, February 21, 1933.

House convened, pursuant to adjournment, at 1:00 o'clock P. M.

Mr. Speaker in the Chair.

Invocation by the Rev. Emil Ziegler of Helena.

On roll call all members present except Sullivan.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 48th Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEE

"Mr. Speaker: We, your Committee on Economy, having had under consideration Senate Bill No. 99, a Bill for an Act entitled: "An Act to amend Section 2 of Chapter 3, of the Session Laws of the Eighteenth Legislative Assembly of 1923, relating to the qualification and compensation of the State Board of Equalization," respectfully report and recommend as follows: That S. B. No. 99 be concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

February 20, 1933.

The Speaker
House of Representatives
Helena

I have the honor to advise you that I have this day approved House Bill No. 338, "An Act appropriating money for the payment of per diem to the officers and attaches of the Twenty-third Legislative Assembly of the State of Montana, and for incidental expenses of the Twenty-third Legislative Assembly of the State of Montana.

J. E. ERICKSON, Governor."

Besancon: Move that further messages from the Senate be considered read at length and the Journal so show. Seconded. Carried.

Helena, February 19, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

- S. B. No. 62, by Reed.
- S. B. No. 114, by Kane.
- S. B. No. 117, by Larson.
- S. B. No. 132, by Thien.
- S. B. No. 134, by Kemmis.
- S. B. No. 137, by Cooper.
- S. B. No. 142, by Kemmis.
- S. B. No. 156, by Coburn.
- S. B. No. 160, by Carroll.
- S. B. No. 199, by Simmons.
- S. B. No. 162, by Thien.
- S. B. No. 168, by Carey.
- S. B. No. 175, by Kane.
- S. B. No. 183, by Page.
- S. B. No. 184, by Simmons.
- S. B. No. 186, by Holt.
- S. B. No. 188, by Kalberg.
- S. B. No. 198, by Donovan and Walker.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 338, by Committee on Appropriations, was this day read three several times and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title agreed to, and bills are herewith transmitted to the House for concurrence:

- S. B. No. 153.
- S. B. No. 122.
- S. B. No. 166.
- S. B. No. 84.
- S. B. No. 179.

S. B. No. 40.
S. B. No. 73.
S. B. No. 125.
Sub. S. B. No. 139.
S. B. No. 100.
S. B. No. 203.
Sub. S. B. No. 193.
S. J. M. No. 14.
S. B. No. 165.
S. B. No. 200.
S. B. No. 172.
S. B. No. 189.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of S. B. No. 80 be indefinitely postponed.

That S. B. No. 189 be amended in Section 2 by striking out in lines 9 and 10 the words and figures "Forty Thousand Dollars (\$40,000.00)," and inserting in lieu thereof the words and figures, "Thirty-two Thousand Dollars (\$32,000.00)"; and as so amended, recommend said bill do pass.

That S. B. No. 73 do pass.

That consideration of S. B. No. 176 be indefinitely postponed.

That S. J. M. No. 14 be amended in line 26, printed bill, by adding after the word, "loans," the following: "The rate of interest, in any event, not to exceed four per cent per annum"; and as so amended, recommend said S. J. M. do pass.

That S. B. No. 166 do pass.

That S. B. No. 84 do pass.

That consideration of S. B. No. 96 be indefinitely postponed.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 20, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 153 be amended in Section 7 by adding thereto at the end thereof the words, "and shall file a bond in the sum of \$10,000.00 (Ten Thousand Dollars) conditioned upon the correct accounting of all moneys coming into his office." And further be amended in Section 53 by striking out in line 9 the words, "last assessment roll," and inserting in lieu thereof the words, "registry list"; and as so amended, recommend said bill do pass.

That consideration of S. B. No. 155 be passed.

That S. B. No. 179 do pass.

That S. B. No. 122 do pass.

That S. B. No. 40 do pass.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Groene: Move that S. B. No. 13 be taken from General Orders and passed for the day. Seconded. Carried.

Replogle: Move the Senate be requested to return to the House. Sub. H. B. No. 113.

Marshall: Move the motion be laid on the table. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND
SECOND READING OF SAME

The following bills were this day introduced, read first and second times and referred to committees:

Senate Bill No. 65, introduced by Committee on State and County Economies. A Bill for an Act Entitled: "An Act to amend Sections 42 and 4873 Revised Codes of Montana, 1921, Section 4874 Revised Codes of Montana, 1921, as amended by Chapter 82 Session Laws 1923 and Sections 4875, 4878 and 4880 Revised Codes of Montana 1921, and repealing Sections 4876, 4877, 4881, 4882 and 4883 Revised Codes of Montana 1921, all relating to deputies and assistants to county officers and their salaries and compensation." Committee on Economy.

Senate Bill No. 179, introduced by Kemmis, by request: A Bill for an Act Entitled: "An Act relating to the licensing of child-placing agencies, defining terms used in this Act; providing penalties for violation of this Act and repealing all Acts and parts of Acts in conflict herewith." Committee on Public Morals, Charities and Reforms.

Senate Bill No. 122, introduced by Campbell. A Bill for an Act Entitled: "An Act creating a lien on motor vehicles for labor furnished by machinery, supplies, materials or storage contributed, in making, altering, repairing, storing, or otherwise caring for same, and providing for the filing of a statement of such lien, and for the foreclosure of such lien and defining the rights of mortgagees or holders of conditional sales contracts." Committee on Judiciary.

Senate Bill No. 40, introduced by Jergensen and Staggs: A Bill for an Act Entitled: "An Act to amend Sections 3779 and 3783 of the Revised Codes of the State of Montana, as amended by Chapter 9 of the Session Laws of the Twentieth Legislative Assembly of 1927, and repealing Sections 3780, 3784, 3786, 3787, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 as amended by Chapters 9 and 90 of the Twentieth Legislative Assembly of 1927 relating to the Board of Railroad Commissioners in the State of Montana, defining their duties, providing for officers and employees and the salaries thereof." State Boards and Offices.

Senate Bill No. 166, introduced by Husband: A Bill for an Act Entitled: "An Act making it unlawful for the driver of a motor vehicle or other person in said motor vehicles who has or assumes authority over such driver after collision or accident to conceal or attempt to conceal his identity; prescribing the duty of a driver of a motor vehicle or other person in said motor vehicle who has or assumes authority over such a driver after collision or accident; and prescribing penalty for the violation of any of the provisions of this Act." Committee on Judiciary.

Senate Bill No. 73, introduced by Campbell: A Bill for an Act Entitled: "An Act providing that the sale or removal from the State of Montana of personal property covered by a conditional sale contract or lease without the consent of the vendor or lessor, or the concealment of said property within the state and refusal to deliver possession after default and demand of vendor or lessor shall constitute a felony, and prescribing the penalty therefor." Committee on Judiciary.

Senate Bill No. 84, introduced by Campbell: A Bill for an Act Entitled: "An Act to amend Section 2153 of the Revised Codes of Montana 1921, as amended by Chapter 18 of the Acts of the Nineteenth Legislative

assembly and Chapter 113 of the Acts of the Twentieth Legislative Assembly of the State of Montana; relating to taxes on personal property and the lien thereof." Committee on Judiciary.

Senate Bill No. 125, introduced by Staggs and Kelsey: A Bill for an Act Entitled: "An Act to amend Section 1252 Revised Codes of Montana, 1921, relating to the issuance of bonds by counties, school districts, cities and towns, and vesting the State Board of Equalization with supervision and control over the issuance thereof." Committee on Judiciary.

Sub. S. B. No. 139, introduced by Committee on Judiciary. A Bill for an Act Entitled: "An Act relating to the general and permanent powers of the Board of County Commissioners, and providing that real property acquired by said Board under a tax deed may be granted and conveyed by said Board to the United States of America by said Board." Committee on Judiciary.

Senate Bill No. 165, introduced by Kelsey; A Bill for an Act Entitled: "An Act to amend Section 2114, Revised Codes of Montana, 1921, as amended by Chapter 43 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana and Sections 2115 and 2116, Revised Codes of Montana, 1921, and the enactment of an additional section, permitting County Boards of Equalization to change the classification or value of property in their counties and prohibiting the State Board of Equalization from raising generally the values of any class of property in a county, without a general hearing in said county." Committee on Townships and Counties.

Senate Bill No. 100, introduced by Corwin: A Bill for an Act Entitled: "An Act to provide funds for the maintenance of a lighting system in rural improvement districts." Committee on Judiciary.

Senate Bill No. 200, introduced by MacGillvra: A Bill for an Act Entitled: "An Act to amend Section 3777 of the Revised Codes of the State of Montana of 1921, as amended by Section 31, of Chapter 192 of the Session Laws of the Nineteenth Legislative Assembly of 1925, relating to the license for breeding and propagating game birds, game and fur-bearing animals." Committee on Fish and Game.

Senate Bill No. 203, introduced by Church: A Bill for an Act Entitled: "An Act in relation to arson and the burning of property to defraud an insurer and to repeal Sections 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345 and 11426 of the Revised Codes of Montana of 1921." Committee on Insurance.

Senate Bill No. 172, introduced by Ruffcorn. A Bill for an Act Entitled: "An Act relating to the granting of stays of proceedings in actions instituted in the district courts for the foreclosure of mortgages on real estate." Committee on Judiciary.

Sub. Senate Bill No. 193, introduced by Committee on State Boards and Officers: A Bill for an Act Entitled; "An Act to regulate the practice of the profession of public accounting and repealing Chapter 231, Revised Codes of Montana, 1921, Legislative Assembly of the State of Montana, entitled, an Act to regulate the practice of the profession of public accountancy." Committee on State Boards and Officers.

Senate Bill No. 189, introduced by Church: A Bill for an Act Entitled: "An Act to amend Section 2831 of the Revised Codes of Montana of 1921, relating to the expenses incurred by the Industrial Accident Board and to the fees paid to and from the industrial administrative fund, and providing for an assessment on percentage of payroll of all employees controlled under the Workmen's Compensation Act of Montana." Committee on State Boards and Officers.

Senate Joint Memorial No. 14, introduced by Kilduff: A Memorial to the Congress of the United States requesting the enactment of legislation

reducing the rate of interest required to be paid on loans made by the Reconstruction Finance Corporation in Aid of Industries." Committee on Judiciary.

Senate Bill No. 62, introduced by Reed: A Bill for an Act Entitled "An Act to amend Sections 48, 49 and 50 of Chapter 60 of the Session Laws of the State of Montana of 1927, relating to the granting, by the State Board of Land Commissioners, of prospecting permits for the exploration for ores, metals, precious stones and other valuable minerals on lands now owned by the state, or mineral rights held by the state, and for any lands to be acquired by the state; providing for the terms of said permits and further providing for the issuance of mining leases by the State Board of Land Commissioners, permitting development and mining operations of said lands." Committee on Mines and Mining.

Senate Bill No. 114, introduced by Kane: A Bill for an Act Entitled "An Act to amend Chapter 160 of part 3 of the political code of the Revised Codes of the State of Montana of 1921, relating to the assessment of property for taxation purposes, by the addition thereto of a new section to be known as Section 2013A, and providing the method for fixing the valuation of all public utility property for taxation purposes." Committee on Revenue and Taxation.

Senate Bill No. 117, introduced by Larson: A Bill for an Act Entitled: "An Act to amend Section 1061 of the Revised Codes of the State of Montana of 1921, relating to the school year, and providing the minimum length of time that school shall be in session." Committee on Education.

Senate Bill No. 132, introduced by Thien: A Bill for an Act Entitled "An Act to aid, assist and facilitate the making of loans to the owners of grain by corporations, associations or agencies created under or by authority of the Act of the Congress of the United States for the purpose of making loans to aid agriculture; providing for the sealing of grain mortgaged to any such corporation, association or agency as security in whole or in part for loans obtained from it, the appointment of sealers by the farm storage commissioner, the issuance of certificates, the filing thereof the fees to be paid; providing penalties for the breaking of seals and for the removal of sealed grain; prescribing duties of officers and prior lienholders seizing said grain and of the farm storage commissioner." Committee on Agriculture.

Senate Bill No. 134, introduced by Kemmis: A Bill for an Act Entitled: "An Act to amend Chapter 98 of the Session Laws of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 47 of the Session Laws of the Twenty-first Legislative Assembly of 1929, relating to the qualifications of electors entitled to vote upon proposals to create or increase indebtedness of the state, county, city, town, school district or other municipal corporations, and relating to the official duties concerning therewith." Committee on Judiciary.

Senate Bill No. 137, introduced by Cooper: A Bill for an Act Entitled: "An Act to amend Section 2843 of the Revised Codes of Montana of 1921, relating to the time for which an election binds employer under Workmen's Compensation Act." Committee on Workmen's Compensation.

Senate Bill No. 142, introduced by Kemmis: A Bill for an Act Entitled: "An Act to amend Section 3716 of the Revised Codes of Montana of 1921, relating to the possession or use of traps, seines or nets." Committee on Fish and Game.

Senate Bill No. 156, introduced by Coburn: A Bill for an Act Entitled: "An Act to amend Section 5306 of the Revised Codes of the State of Montana, 1921, as amended by Chapter 13, Laws of the Twenty-first Legislative Assembly, providing for the discontinuance of streets and alleys by the city or town council." Committee on Affairs of Cities.

Senate Bill No. 160, introduced by Carroll: A Bill for an Act Entitled: "An Act to amend Sections 3 and 4 of Chapter 188 of the Session Laws of 1931 relating to limitation of county indebtedness and terms of bonds and rates of interest." Committee on Townships and Counties.

Senate Bill No. 199, introduced by Simmons: A Bill for an Act Entitled: "An Act defining the duration of liens of mortgages upon real estate and the manner of the extension thereof, and amending Section 8267 of the Revised Codes of Montana of 1921." Committee on Judiciary.

Senate Bill No. 162, introduced by Thien: A Bill for an Act Entitled: "An Act to amend Section 86 of Chapter 148 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana of 1931, relating to finance and taxation for county and district high schools and providing a maximum tax that may be levied for county and district high school purposes." Committee on Education.

Senate Bill No. 168, introduced by Carey: A Bill for an Act Entitled: "An Act to amend Section 2239 Revised Codes of Montana, 1921, as amended by Chapter 102 of the Laws of the Eighteenth Legislative Assembly of the State of Montana, relating to the collection of personal property taxes by the county treasurer." Committee on Revenue and Taxation.

Senate Bill No. 175, introduced by Kane: A Bill for an Act Entitled: "An Act to permit the organization of irrigation districts by the owners of water of adjudicated water right streams for the specific purpose of operation, administration and improvement of such streams without the interference with or requisition of the decreed water rights of such streams and conferring on such districts the powers, duties and status of a public corporation necessary to carry out the purposes and intent of this Act." Committee on Irrigation.

Senate Bill No. 183, introduced by Page: A Bill for an Act Entitled: "An Act to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly, relating to Workmen's Compensation and plan two thereof; and to repeal all Acts and parts of Acts in conflict herewith." Committee on Workmen's Compensation.

Senate Bill No. 184, introduced by Simmons: A Bill for an Act Entitled: "An Act to amend Section 4452 of the Revised Codes of Montana, 1921, relating to Board of County Commissioners and how composed." Committee on Judiciary.

Senate Bill No. 186, introduced by Holt: A Bill for an Act Entitled: "An Act requiring and authorizing the Board of Commissioners of an irrigation district to enforce all by-laws, rules and regulations adopted in pursuance to Section 7174 of the Revised Codes of Montana of 1921, as amended by Chapter 157 of the laws of the Eighteenth Legislative Assembly, relative to the apportionment and distribution of water to the lands of the district and for the protection and preservation of the works and other property of the district, and granting authority to such commissioners for that purpose." Committee on Irrigation.

Senate Bill No. 188, introduced by Kalberg: A Bill for an Act Entitled: "An Act relative to exemptions from execution in the case of farmers." Committee on Judiciary.

Senate Bill No. 198, introduced by Donovan and Walker: A Bill for an Act Entitled: "An Act to provide for conventions to ratify proposed amendments to the constitution of the United States." Committee on Constitutional Amendments.

Senate Bill No. 127, introduced by Ekegran, Kilduff and Thien: A Bill for an Act Entitled: "An Act to provide for the incorporation of grazing district associations to aid in the conservation, restoration, improvement and use of forage resources in the State of Montana; to author-

ize such associations to lease, purchase or otherwise acquire county or other lands for such purposes and to provide for the management and use of such lands which will best conserve, restore and improve the forage value thereof." Committee on State Lands.

Senate Bill No. 163, introduced by Kane and Pauline: A Bill for an Act Entitled: "An Act to amend Section 933 Revised Codes of Montana of 1921, relating to the official staff of the State Superintendent of Public Instruction." Committee on Education.

Senate Bill No. 167, introduced by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act relating to irrigation districts, authorizing and empowering irrigation districts and the commissioners thereof to amend or supplement original contracts with the United States, and relating to the procedure to be followed in making such contracts." Committee on Irrigation.

Senate Bill No. 161, introduced by Kane: A Bill for an Act Entitled: "An Act to amend Section 355 of the Revised Codes of the State of Montana of 1921, relating to the sale of animals under false registration certificates or fraudulently changing the markings and providing for false representation of the production record of cattle." Committee on Dairying.

Senate Bill No. 164, introduced by Kelsey and Holton: A Bill for an Act Entitled: "An Act requiring stock inspectors and sheriffs inspecting stock under authority of Chapter 238 or Chapter 239, part III, political code of the Revised Codes of Montana, 1921, to report same to Livestock Commission, declaring any violation of said Act a misdemeanor and fixing the penalty therefor." Committee on Livestock and Public Ranges.

Senate Bill No. 124, introduced by Reed: A Bill for an Act Entitled: "An Act to amend Sections 2156, 2157, 2158, 2160 of the Revised Codes of the State of Montana of 1921; and Section 2159 of the Revised Codes of the State of Montana of 1921 as amended by Chapter 86 of the Session Laws of the Twenty-first Legislative Assembly of 1929, and Section 2160 of the Revised Codes of the State of Montana of 1921, as amended by Section 9 of Chapter 96 of the Eighteenth Legislative Assembly of 1921 relating to the duties of the county clerk in relation to taxes, and providing that said duties shall be performed by the County Assessor." Committee on Townships and Counties.

Senate Bill No. 113, introduced by Holt by Request: A Bill for an Act Entitled: "An Act to amend Section 634, Revised Codes of Montana of 1921 relating to the nomination of party candidates by direct vote." Committee on Privileges and Elections.

Senate Bill No. 64, introduced by Larsen and Willis: A Bill for an Act Entitled: "An Act amending Section 3670 of the Revised Codes of the State of Montana, of 1921 as amended by Chapter 59 of the Session Laws of 1927, providing that all sales and purchases made by the State Fish and Game Commission shall be upon requisitions granted by the State Purchasing Agent." Committee on Fish and Game.

Senate Joint Resolution No. 5, introduced by Committee on Federal Relations: A Resolution requesting the enactment by Congress of Legislation necessary to bring about the completion of a through sea-way via the St. Lawrence river, and requesting the President of the United States to proceed to a treaty with Canada relative thereto." Committee on Federal Relations.

Senate Bill No. 201, introduced by MacGillvra: A Bill for an Act Entitled: "An Act to amend Sub-Section 8 of Section 4465 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 100 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to certain duties of the Board of County Commissioners." Committee on Townships and Counties.

Senate Bill No. 187, introduced by Fish and Game Committee; A Bill for an Act Entitled: "An Act relating to the taking of elk within the State of Montana or any portion thereof, the taking of antelope in Chouteau County, Montana, and the taking of sun fish in Lake County, Montana, relieving damage caused thereby, granting and giving to the State Fish and Game Commission of the State of Montana authority to make and promulgate rules and regulations for the taking, killing, removing or disposing of the same, and providing for the disposal of revenue derived from said rules and regulations, and prescribing the penalties for the violation of this Act." Committee on Fish and Game.

Senate Bill No. 158, introduced by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act to amend Section 7249, Revised Codes of Montana, 1921, to provide for payment of certain irrigation district assessments by the surrender of certain bonds and coupons." Committee on Irrigation.

Senate Bill No. 82, introduced by Kane and Pauline: A Bill for an Act Entitled: "An Act amending Sections 8814, 202, 219, 284, 363, 437, 438, 439, 933, 1558, 1958, 2446, 2739, 2740, 2819, 3255, 3557, 3784 and 3786 of the Revised Codes of the State of Montana of 1921, and amending Section 14, of Chapter 16 of the Session Laws of the Twentieth Legislative Assembly of 1927, and amending Section 3 of Chapter 179 of the Session Laws of the Nineteenth Legislative Assembly of 1925, and amending Section 59 of Chapter 89 of the Session Laws of the Twentieth Legislative Assembly of 1927, relating to the salaries and compensation of certain state officers, district judges, and of all deputy state officers and clerks, stenographers and employees and all state offices, commissions, boards, bureaus and departments, and further providing that all Acts and parts of Acts in conflict with the provisions of this Act are hereby specifically amended according to this Act." Committee on Economy.

Senate Bill No. 143, introduced by Pauline and Kane: A Bill for an Act Entitled: "An Act to amend Sections 12438 and 1524 of the Revised Codes of the State of Montana of 1921, and Section 1415 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 42 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 149 of the Session Laws of the Twenty-first Legislative Assembly of 1929, relating to the salaries of certain state appointive officers." Committee on Economy.

Senate Bill No. 112, introduced by Holt by request: A Bill for an Act Entitled: "An Act to amend Sections 567 and 568 of the Revised Codes of Montana of 1921, relating to the registration of electors, and to the printing and posting of lists of registered electors, and the preparation by the county clerk of poll books." Committee on Privileges and Elections.

Senate Bill No. 153, introduced by Walker and Donovan: A Bill for an Act Entitled: "An Act to limit, regulate and license the manufacture and sale of any and all liquors or beverages that may hereafter be manufactured, sold or dispensed in the State of Montana." Committee on Judiciary.

Senate Bill No. 111, introduced by Committee on Irrigation and Water Rights: A Bill for an Act Entitled: "An Act to amend Chapter 155 of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana of 1931, changing the name of the Mississippi Valley Water Conservation Commission, enlarging the duties of said commission by including authority for the consideration of all natural resources and a study of the laws relating thereto." Committee on Irrigation.

S. B. No. 102, introduced by Committee on State and County Economies: A Bill for an Act Entitled: "An Act to amend Section 4922 Revised Codes of Montana 1921, relating to the fees of County Coroners." Committee on Townships and Counties.

Senate Joint Memorial No. 13, introduced by MacGillvra: A Memorial memorializing the Congress of the United States urging immediate action

toward curbing importation of foreign goods, at the expense of closing our mines, mills, and factories and the unemployment of our people." Committee on Federal Relations.

Senate Bill No. 128, introduced by Angvick and Holt: A Bill for an Act Entitled: "An Act to create a County Land Advisory Board in each county and defining the powers and duties of such boards." Committee on Townships and Counties.

THIRD READING OF SENATE BILLS

Senate Bill No. 29, introduced by Clifford, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Besancon, Bjerneby, Breitenstein, Campbell, Chapman, Conner, Cusker, Duffy Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Knowles Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Lincoln), Mulholland, Nelstead Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Ragen, Ralston Rearden (Cascade), Replogle, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Trenne, Ueland Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 71

Noes: Daugherty, Goodwin, Miller (Big Horn), Strange, Mr. Speaker Total 5.

Absent and not voting: Arnold, Beadle, Blankenbaker, Byrne, Doe Doran, Freed, Freudenstein, Groene (Fergus), Holecek, Kruse, Lott, Miles Moss, Nass, O'Connell, Parker (Flathead), Porter, Quamme, Rearden (Deer Lodge), Rognlien, Shannon, Stevens (Wheatland), Sullivan, Watson (Meagher). Total 25.

The Speaker: Seventy-one have voted "aye", 5 have voted "no"; Senate Bill No. 29 has been concurred in by the House.

Roll, given permission to proceed out of order, introduced two of the House employees, who sang several charming numbers. Roll then called upon B. C. White of Judith Basin County to present a gift to Timothy Miller of Lincoln in honor of Mr. Miller's birthday anniversary, with the compliments of the members of the House. Mr. White's speech was much enjoyed.

The Committee on Entertainment reported that they had prepared a program in honor of Washington's Birthday, to be presented in the House Chambers the next afternoon, February 22nd, at 2:00 o'clock.

Watson of Missoula: Move a committee be appointed to invite His Excellency the Governor, and the Honorable Senate, to join the House in the program and celebration on Washington's Birthday. Seconded Carried. The Speaker reserved his appointment of such committee until tomorrow.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole, for the Consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Larsen of Deer Lodge in the Chair.

Committee arose. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Joint Memorials Nos. 8 and 10, Senate Bills Nos. 72, 92, 8, Sub. 9, S. B. Nos. 44, 3 and 78, respectfully report and recommend as follows:

That Senate Joint Memorial No. 8 be concurred in.

That Senate Joint Memorial No. 10 be concurred in.

That Senate Bill No. 72 be passed for the day.

That Senate Bill No. 92 be re-referred to the Committee on Livestock and Public Ranges.

That Substitute Senate Bill No. 9 be amended as follows: In Section 1, after the first word "printing," by inserting the words "purchased on behalf of the State"; and that as so amended the bill be concurred in.

That Senate Bill No. 8 be concurred in.

That Senate Bill No. 44 be concurred in. "

That Senate Bill No. 3 be passed for the day.

That Senate Bill No. 78 be concurred in.

LARSEN, Chairman."

On motion by Larsen, report adopted.

MOTIONS AND RESOLUTIONS

Shannon: I move that the amendments to all Senate Bills be type-written and placed on the desks of the members of the House. Seconded. Carried.

Haight: Move that the Committee on Employment be instructed to reduce the number of employees of this House to such a number as may be paid by the funds provided for in House Bill No. 338. Seconded.

Annin: As a substitute motion, I move that the Committee on Employment be instructed to keep all employees on full time until Saturday night, the 25th, and that thereafter only those employees be retained whose services are needed. Seconded.

Shannon: I move to add to that motion: "that the Appropriations Committee be instructed to draw an appropriation bill to take care of the necessary additional funds."

Without objection, the amendment to the motion was accepted, and the motion was put as amended.

A roll call was demanded, and was taken; and resulted in the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Bal-lard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nass, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Shannon, Sparling, Stephens (McCone), Sul-livan, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Wood-cock, Mr. Speaker. Total 79.

Noes: Cusker, Freed, Green (Dawson), Haight, Hilger, Holecek, Knowles, Nelstead, Nutting, Stevens (Wheatland), Stiefel, Strange, Trenne, Watson (Missoula). Total 14.

Absent and not voting: Blankenbaker, Doran, Freudenstein, Good-win, Love, Porter, Ralston. Total 7.

Passed his vote: Miller (Lincoln). Total 1.

The Speaker: Seventy-nine have voted "aye," 14 have voted "no"; the motion is carried.

Besancon: Move the House now adjourn until 10:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-SECOND DAY

House of Representatives.
Helena, Montana, February 22, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 50th Legislative Day, find the same to be correct.

ROGNLIEN, Chairman."

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

Groene: Move that consideration of Senate Bills Nos. 16 and 91 be passed for the day. Seconded. Carried.

Snidow: Move that consideration of Senate Bill No. 72 be passed for the day. Seconded. Carried.

Besancon: Move that consideration of Senate Bill No. 13 be passed for the day. Seconded and carried.

Mrs. Emma Ingalls of Flathead County and Mrs. Maggie Smith Hathaway of Ravalli County, first women members of the House, were escorted to the rostrum, and presented to the members.

THIRD READING OF SENATE BILLS

Senate Joint Memorial No. 8, introduced by Reed, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doran, Ecton, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Annin, Arnold, Daugherty, Doe, Duffy, Ferry, Fowler, Freed, Haight, Holecek, Moss, Nelstead, Pierson, Porter, Reardon (Deer Lodge), Spangler, Stephens (McCone), Sullivan, Woodcock. Total 19.

The Speaker: Eighty-two have voted "aye," none have voted "no"; Senate Joint Memorial No. 8 has been concurred in by the House.

Senate Joint Memorial No. 10, introduced by Husband, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doran, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 82.

Noes: Knowles, Ragen. Total 2.

Absent and not voting: Annin, Arnold, Chapman, Doe, Duffy, Ferry, Haight, Kruse, Moss, Nass, Nelstead, Pierson, Reardon (Deer Lodge), Spangler, Stephens (McCone), Sullivan, Woodcock. Total 17.

The Speaker: Eighty-two have voted "aye," 2 have voted "no"; Senate Joint Memorial No. 10 has been concurred in by the House.

Substitute Senate Bill No. 9, introduced by Committee on Printing, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Snidow, Somerville, Spangler, Spangler, Stevens (Wheatland), Stiefel, Strange, Ueland, Waite, Watson (Missoula), White, Wigal, Mr. Speaker. Total 78.

Noes: Goodwin, Knowles, McElwain, Trenne. Total 4.

Absent and not voting: Annin, Arnold, Chapman, Duffy, Ferry, Fowler, Haight, Harlen, Parker (Flathead), Pierson, Reardon (Deer Lodge), Rolph, Setzer, Shannon, Stephens (McCone), Sullivan, Watson (Meagher), Whaley, Woodcock. Total 19.

The Speaker: Seventy-eight have voted "aye," 4 have voted "no"; Substitute Senate Bill No. 9 has been concurred in by the House.

Senate Bill No. 8, introduced by Staggs, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Conner, Cusker, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland,

Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlie, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stever (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 80.

Noes: Campbell, Strange. Total 2.

Absent and not voting: Annin, Arnold, Chapman, Doe, Doran, Duffy, Fowler, Freed, Haight, Moss, Parker (Broadwater), Pierson, Reardon (Deer Lodge), Setzer, Shannon, Stephens (McCone), Sullivan, Whaley, Woodcock. Total 19.

The Speaker: Eighty have voted "aye," 2 have voted "no"; Senate Bill No. 8 has been concurred in by the House.

Senate Bill No. 44, introduced by Husband, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Balgord, Besancon, Bjorneby, Breitenstein, Ector, Findlater, Fitzstephens, Freed, Givens, Groene (Fergus), Hagerty, Hilger, Holecek, Kruse, Lott, Manning, Marshall, Mason, Metlen, Nelstead, Parke (Flathead), Parker (Broadwater), Pilgeram, Ragen, Ralston, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, White, Wigal, Mr. Speaker. Total 41.

Noes: Abrahamson, Acher, Ballard, Beadle, Blankenbaker, Campbell, Conner, Cusker, Daugherty, Ferry, Fowler, Goodwin, Green (Dawson), Haight, Harlen, Harrington, Jensen, Knowles, Kuhl, Larsen, Lewis, Love, McCarvel, McDermott, McElwain, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Porter, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Roll, Sparling, Watson (Missoula). Total 40.

Absent and not voting: Annin, Arnold, Byrne, Chapman, Doe, Doran, Duffy, Freudenstein, Grabow, Logan, Moss, Pierson, Replogle, Shannon, Spangler, Stephens, Sullivan, Watson (Meagher), Whaley, Woodcock. Total 20.

The Speaker: Forty-one have voted "aye," 40 have voted "no"; Senate Bill No. 44 has been concurred in by the House.

Senate Bill No. 78, introduced by Kane, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Campbell, Conner, Daugherty, Doe, Ector, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), White, Wigal, Mr. Speaker. Total 81.

Noes: Blankenbaker, Harrington. Total 2.

Absent and not voting: Annin, Breitenstein, Byrne, Chapman, Cusker, Doran, Duffy, Grabow, Knowles, Logan, Moss, Parker (Broadwater), Roll, Spangler, Sullivan, Watson (Meagher), Whaley, Woodcock. Total 18.

The Speaker: Eighty-one have voted "aye," 2 have voted "no"; Senate Bill No. 78 has been concurred in by the House.

MOTIONS AND RESOLUTIONS

Haight: Move that Senate Bill No. 65 be taken from the Committee on Economy and re-referred to Committee on Townships and Counties. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Pierson of Yellowstone in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 3, 94, 41, 47, 120, and 110, respectfully report and recommend as follows:

That Senate Bill No. 3 be amended as follows: Amend the title by striking out in line 3 thereof the figure "4" and inserting in lieu thereof the figure "4"; and in line 4 thereof by striking out the figure "4" and inserting in lieu thereof the figure "3"; amend Section 1 by striking out in line 7 the figure "4," and inserting in lieu thereof the figure "3"; also in the same line the second figure "4" and inserting in lieu thereof the figure "3"; amend Section 3 by striking out in line 2 the figure "4" and inserting the figure "3"; in line 4 by striking out the figure "4" and inserting in lieu thereof the figure "3"; amend Section 6 by striking out in line 2 thereof the figure "4" and inserting in lieu thereof the figure "3"; and as so amended that the same be concurred in.

That Senate Bill No. 94 be concurred in.

That Senate Bill No. 41 be concurred in.

That Senate Bill No. 47 be concurred in.

That Senate Bill No. 120 be concurred in.

That Senate Bill No. 110 be concurred in.

PIERSON, Chairman."

On motion by Pierson, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Economy, having had under consideration Senate Bill No. 65, a Bill for an Act entitled: "An Act to amend Sections 4885 and 4916, Revised Codes of Montana, 1921, as amended by Chapter 111, Session Laws, 1927, and Chapter 89, Session Laws, 1929, relating to the mileage, expense and fees of sheriffs," respectfully report and recommend as follows: That Senate Bill No. 66 be not concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration, Senate Bill No. 24, a Bill for an Act Entitled: "An Act to amend Section 76 of the Revised Codes of the State of Montana of 1921, relating to the compensation of other officers and employees of the Senate and the House of Representatives of the State of Montana," respectfully report and recommend as follows: That Senate Bill No. 24 be not concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

MOTIONS AND RESOLUTIONS

Groene: Move that Senate Bill No. 99 be passed for the day. Seconded. Carried.

Besancon: Move that House Bill No. 185 be recalled from the Senate. Seconded. Carried.

Roll: Move the House now reconsider its action on Senate Bill No. 44, and the bill be placed back on General Orders. Seconded. Carried.

Besancon: Move the House now recess until 1:45 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

On motion by Besancon, the Speaker appointed a committee consisting of Besancon of Missoula, McCarvel of Deer Lodge and Bjorneby of Flathead, to invite the Honorable Senate to join the House in a program in honor of Washington's Birthday; also a committee consisting of Stephens of McCone, O'Connell of Silver Bow and Watson of Missoula, to invite his Excellency the Governor to join the House in this program and to escort his Excellency to the House.

The House recessed subject to the call of the Chair.

The following program, arranged by the Committee on Entertainment, was given;

Opening March—Dunlop's Orchestra.

Vocal Solo—Miss Hazel McLaughlin. Accompanied at the piano by Mrs. Frank Tompkins.

Oration, "Washington."—Honorable E. G. Toomey.

Violin Solo—Octavia Ryder Young. Accompanied by Ruth Carpenter Whalen.

Vocal Solo—Cecil Chrisinger. Accompanied by Mrs. Frank Tompkins.

Reading, "Washington, the Nation Builder."—Miss Margaret Helehan.

Introduction of Mrs. C. E. Pew, First State Department President and State Child Welfare Chairman of the American Legion Auxiliary.

Presentation of Historical Plates to Mrs. J. E. Erickson.

Closing March—Dunlop's Orchestra.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 137, introduced by Cooper: A Bill for an Act Entitled: "An Act to amend Section 2843 of the Revised Codes of Montana of 1921, relating to the time for which an election binds employer under Workmen's Compensation Act," respectfully report and recommend: That Senate Bill No. 137 be concurred in.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 54: A Bill for an Act Entitled: "An Act relating to the furnishing of free text books to pupils attending schools, public or otherwise, including high schools, within the State of Montana, and amending Section 1198, Revised Codes of Montana of 1921, respectfully report and recommend as follows: That Senate Bill No. 54 be concurred in.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 183, introduced by Page: A Bill for an Act Entitled: "An Act to amend Section 2981 of the Revised Codes of Montana of 1921, as amended by Chapter 177 of the Session Laws of the Twenty-first Legislative Assembly, relating to Workmen's Compensation and plan two thereof; and to repeal all Acts and parts of Acts in conflict herewith." Respectfully report and recommend as follows: That Senate Bill No. 183 be not concurred in.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 153: A Bill for an Act Entitled: "An Act to limit, regulate and license the manufacture and sale of any and all liquors or beverages that may hereafter be manufactured, sold or dispensed in the State of Montana," respectfully report and recommend as follows:

That a Conference Committee be appointed.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Memorial No. 14, a memorial to the Congress of the United States, requesting the enactment of Legislation reducing the rate of interest required to be paid on loans made by the Reconstruction Finance Corporation in aid of industries," respectfully report and recommend as follows:

That Senate Joint Memorial No. 14 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 164: A Bill for an Act Entitled: "An Act requiring stock inspectors and sheriffs inspecting stock, under authority of Chapter 238 or Chapter 239, part 3, political code of the Revised Codes of Montana of 1921, to report same to Livestock Commission, declaring any violation of said act a misdemeanor and fixing the penalty therefor." Respectfully report and recommend as follows:

That Senate Bill No. 164 be concurred in.

ARNOLD, Chairman."

On motion by Arnold, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 25, introduced by Kaulbach and Alt: A Bill for an Act Entitled: "An Act to amend Sections 4525 and 526 of the Revised Codes of Montana of 1921, providing for the letting of contracts by Boards of County Commissioners for the care, support and maintenance of the indigent sick, poor and infirm of the county," respectfully report and recommend as follows:

That Senate Bill No. 25 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the messages from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, February 21, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported for non-concurrence by the Senate Committee of the Whole, report adopted, and bill are herewith returned to the House:

Sub. H. B. No. 27, by Committee on Education.

H. B. No. 95, by Committee on Public Health and Sanitary Affairs.

H. B. No. 196, by Roll.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 21, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows, reports adopted:

Committee on Finance and Claims: That H. B. No. 142 be concurred in.

Committee on Finance and Claims: That H. B. No. 214 be concurred in.

Committee on Finance and Claims: That H. B. No. 291 be concurred in.

Committee on Oil and Leases: That H. B. No. 222 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 21, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 13, by Holecek.

H. B. No. 32, by Abrahamson.

H. B. No. 46, by Appropriations Committee.

H. B. No. 66, by Kruse.

H. B. No. 68 by Freudenstein.

H. B. No. 84, by Committee on State Boards and Officers.

H. B. No. 89 by Stevens.

H. B. No. 94, by Committee on Public Health and Sanitary Affairs.

H. B. No. 101, by Committee on Education.

H. B. No. 126, by Committee on Appropriations.

H. B. No. 143, by Mason.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 21, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, Respectfully report and recommend as follows:

That consideration of H. B. No. 97 be passed for the day.

That consideration of H. B. No. 62 be passed for the day.

That Sub. for H. B. No. 27 be not concurred in.

That consideration of H. B. No. 111 be passed for the day.

That H. B. No. 148 be concurred in.
That H. B. No. 150 be concurred in.
That H. B. No. 152 be concurred in.
That H. B. No. 196 be not concurred in.
That H. B. No. 95 be not concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 21, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bills were this day introduced in the Senate, read first and second time, and referred to Committees:

H. B. No. 49—Taxation.
H. B. No. 102—Education.
H. B. No. 134—Mines and Mining.
H. B. No. 163—Public Morals.
H. B. No. 178—Compensation.
H. B. No. 240—Agriculture.
H. B. No. 241—Taxation.
H. B. No. 246—Judiciary.
H. B. No. 260—Fish and Game.
H. B. No. 274—Labor and Capital.
H. B. No. 282—Education.
H. B. No. 302—Elections and Privileges.
H. B. No. 304—Counties and Towns.
H. J. R. No. 5—Military Affairs.
Sub. H. B. No. 237—Roads and Highways.
H. B. No. 207—Stockgrowing and Grazing.
Sub. H. B. No. 70—Taxation.
H. B. No. 336—Finance and Claims.
H. B. No. 277—Public Lands.
H. B. No. 303—Insurance.
H. B. No. 284—Education.
H. B. No. 41—Agriculture.
H. B. No. 201—Military Affairs.
H. B. No. 233—Labor and Capital.
H. B. No. 99—Roads and Highways.
H. B. No. 187—Agriculture.
H. B. No. 181—Judiciary.
H. B. No. 258—Education.
H. B. No. 269—Judiciary.
Sub. H. B. No. 72—Judiciary.
H. J. M. No. 5—Military Affairs.
H. J. M. No. 6—Irrigation and Water Rights.
H. B. No. 267—Taxation.
Sub. H. B. No. 271—Education.
H. B. No. 259—Fish and Game.
H. B. No. 226—Taxation.
H. B. No. 161—Taxation.
H. B. No. 283—Insurance.
H. B. No. 122—Agriculture.
Sub. H. B. No. 216—Dairies and Dairying.
Sub. H. B. No. 264—Education.
H. B. No. 262—Public Morals.
H. B. No. 203—Roads and Highways.
H. B. No. 204—Roads and Highways.
H. B. No. 205—Roads and Highways.
H. B. No. 206—Roads and Highways.
H. B. No. 238—State and County Economies.
H. B. No. 305—Oil and Leases.

H. B. No. 147—Constitutional Amendments.
H. B. No. 155—Constitutional Amendments.
H. B. No. 294—Taxation.
H. B. No. 328—Taxation.
Sub. H. B. No. 25—Oil and Leases.
H. B. No. 121—Constitutional Amendments.
H. B. No. 110—Compensation.
H. B. No. 326—Roads and Highways.
H. B. No. 335—Public Morals.
H. B. No. 261—Counties and Towns.
H. B. No. 301—Public Lands.
H. B. No. 197—Fish and Game.
H. B. No. 275—Fish and Game.
H. B. No. 131—Dairies and Dairying.
H. B. No. 184—Judiciary.
H. B. No. 296—Irrigation and Water Rights.
H. B. No. 319—Insurance.
Sub. H. B. No. 189—Judiciary.
Sub. H. B. No. 127—Judiciary.
H. B. No. 173—Banks and Banking.
H. B. No. 225—Public Lands.
H. B. No. 166—Labor and Capital.
H. B. No. 221—Judiciary.
Sub. H. B. No. 113—Taxation.
H. B. No. 331—Taxation.
H. B. No. 208—Taxation.
H. B. No. 220—Finance and Claims.
H. B. No. 263—Insurance.
H. B. No. 133—Labor and Capital.
Sub. H. B. No. 183—Public Lands.
H. B. No. 185—Constitutional Amendments.
H. B. No. 253—Public Lands.
H. B. No. 234—Sanitary Affairs.
H. B. No. 314—Roads and Highways.
H. B. No. 182—Compensation.
H. B. No. 339—Judiciary.
H. B. No. 190—State and County Economies.
H. B. No. 135—Agriculture.
H. B. No. 210—Corporations other than Municipal.
H. B. No. 138—Counties and Towns.
H. B. No. 341—Finance and Claims.
H. B. No. 310—Counties and Towns.
H. B. No. 340—Finance and Claims.
H. B. No. 337—Finance and Claims.
H. B. No. 287—Judiciary.
H. B. No. 120—State Boards and Offices.
H. B. No. 202—Stockgrowing and Grazing.
H. J. R. No. 6—Banks and Banking.
H. J. M. No. 10—Federal Relations.
H. B. No. 278—Education.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 21, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

On motion, the Secretary was instructed to amend H. B. No. 85 in the title by striking out in line 2 the figure "10", and inserting in lieu thereof

he figure "9"; and in Section 1 by striking out in line 2 the figure "10" and inserting in lieu thereof the figure "9"; and as so amended, recommend said bill be concurred in.

That H. B. No. 34 be amended in the Senate Committee on Fish and Game amendment by striking out in lines 34 and 35 the words, "and Powder River", at the end of said amendment; and as so amended, recommend said bill be concurred in.

That H. B. No. 215 be concurred in.

That H. B. No. 103 be concurred in.

That H. B. No. 179 be concurred in.

That H. B. No. 165 be concurred in.

That H. B. No. 31 be concurred in.

That H. B. No. 188 be concurred in.

That H. B. No. 146 be concurred in.

That H. B. No. 3 be amended in Section 1 by striking in lines 3 and 4 the word, "income," and inserting in lieu thereof the word, "money" (printed bill); that said bill be amended in Section 1 by striking out in line 6 the word, "provided," and inserting in lieu thereof the word, "appropriated"; and as so amended, recommend that further consideration be passed for the day.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Replogle: Move that the motion that the House reconsider its action on Sub. House Bill No. 113 be taken from the table. Seconded. Defeated.

THIRD READING OF SENATE BILLS

Senate Bill No. 3, introduced by Burr, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: Duffy, Hilger, Ralston. Total 3.

Absent and not voting: Annin, Breitenstein, Cusker, Daugherty, Freudenstein, Reardon (Deer Lodge), Rolph, Shannon, Spangler, Sullivan. Total 10.

The Speaker: Eighty-nine have voted "aye", 2 have voted "no"; S. B. No. 3 has been concurred in by the House.

Senate Bill No. 94, introduced by Kelsey, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Hagerty, Harlen,

Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Shea, Parke (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Rager Rearden (Cascade), Replogle, Rognlien, Rolph, Schuster, Setzer, Shannor Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), Whaley White, Wigal, Woodcock, Mr. Speaker. Total 81.

Noes; Dufy, Hilger, Ralston. Total 3.

Absent and not voting: Breitenstein, Daugherty, Givens, Groene (Fergus), Haight, Harrington, Kruse, Love, Metlen, Nass, O'Connell, Piersor Reardon (Deer Lodge), Roll, Spangler, Strange, Watson (Meagher). Total 17.

The Speaker: Eighty-one have voted "aye", 3 have voted "no"; S. B. No. 94 has been concurred in by the House.

Senate Bill No. 41, introduced by Corwin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Annin, Arnold, Ballard, Beadle, Besancon Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Doe Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall Mason, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson Pilgeram, Ragen, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: Anderson, Balgord, Miles, Ralston. Total 4.

Absent and not voting: Breitenstein, Daugherty, Groene (Fergus), Knowles, Metlen, O'Connell, Porter, Quamme, Reardon (Deer Lodge), Shannon, Spangler, Sullivan, Watson (Meagher). Total 13.

The Speaker: Eighty-four have voted "aye", 4 have voted "no"; S. B. No. 41 has been concurred in by the House.

Senate Bill No. 47, introduced by Page and Wass, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Ballard, Beadle, Bjorneby, Byrne, Chapman, Conner, Doe, Doran, Duffy, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Rearden (Cascade), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Mr. Speaker. Total 71.

Noes: Arnold, Balgord, Besancon, Blankenbaker, Campbell, Cusker, Ecton, Hilger, Mason, Nass, O'Connell, Quamme, Ragen, Ralston, Roll, Waite, Wigal, Woodcock. Total 18.

Absent and not voting: Breitenstein, Daugherty, Ferry, Fowler, Knowles, McDermott, Metlen, Moss, Reardon (Deer Lodge), Shannon, Spangler, Sullivan. Total 12.

The Speaker: Seventy-one have voted "aye", 18 have voted "no"; S. No. 47 has been concurred in by the House.

Senate Bill No. 120, introduced by the Committee on Insurance, by request, of the Insurance Department of Montana, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Husker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstehens, Fowler, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty, Harrington, Hilger, Holecck, Jensen, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McClone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Goodwin, Quamme. Total 2.

Absent and not voting: Beadle, Breitenstein, Freed, Groene (Fergus), Haight, Harlen, Knowles, Logan, Marshall, Metlen, Moss, Rearden (Deer Lodge), Spangler, Sullivan. Total 14.

The Speaker: Eighty-five have voted "aye", 2 have voted "no"; S. No. 120 has been concurred in by the House.

MOTIONS AND RESOLUTIONS

Besancon: Move that the House employees and attaches be excused until 10:30 o'clock tomorrow morning. Seconded. Carried.

Besancon: Move the House now adjourn until 12:30 o'clock tomorrow afternoon. Seconded. Carried.

D. A. DELLWO,
Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-THIRD DAY

House of Representatives.
Helena, Montana, February 23, 1933.

House convened, pursuant to adjournment, at 12:30 o'clock P. M.
Speaker pro tem in the Chair.

Invocation by the Rev. John S. Benson of Helena.

On roll call all members present except Sullivan.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-first Legislative Day, find the same to be correct.

ROGNLIEN, Chairman."

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

State of Montana
Office of the Governor

Helena, February 22, 1933.

The Speaker,
House of Representatives,
Helena.

I have the honor to advise you that I have this day approved the following House Measures:

H. B. No. 91—Relating to the qualifications for admission to schools for nurses.

H. B. No. 96—Relating to duties of trustees of the Fire Department Relief Association.

H. B. No. 107—Relating to the duties of the State Scale Expert.

H. B. No. 128—Permitting Nicholas Newby of Bear Creek, Montana, to present a claim to the Industrial Accident Board.

J. E. ERICKSON,
Governor.

Besancon: Move that messages from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House:

Substitute H. B. No. 237, not concurred in by Committee on Roads and Highways.

H. B. No. 3, not concurred in by Committee of the Whole.

H. B. No. 103, by Haight, not concurred in by Committee of the Whole.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, the Senate grants the request of the House for the return of House Bill No. 185, by Haight, for further consideration, and bill is herewith returned.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 165, by Fish and Game Committee, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Fish and Game amendment to H. B. No. 165:

Amend by inserting after the word "petitioned" in line 10, page 2, engrossed bill, the following: "by a majority of the landowners affected."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 85, by Committee on State Boards and Officers, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee of the Whole amendments to H. B. No. 85:

Amend in title by striking out in line 2 the figure "10," and inserting in lieu thereof the figure "9."

Amend in Section 1 by striking out in line 2 the figure "10," and inserting in lieu thereof the figure "9."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 34, by Holecek, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Fish and Game amendments to H. B. No. 34:

Amend by striking out in line 16, printed bill, beginning with the word "and," all words and figures down to and including the word "year" on line 19.

Amend by striking out in line 23 the word "Custer"; by striking out in line 23 the words "Richland, Roosevelt"; by striking out in line 24 the words "Dawson" and "Prairie."

Amend by striking out in lines 34 and 35 the words "Flathead," "Lincoln," and by adding after the word "Missoula" in line 35 the word "Granite." Amend by adding after the word "Counties" in line 35, the following words: "it shall be lawful to hunt, shoot, or kill one buck deer each year between the dates of November 1 and 3, both dates inclusive, in the following counties: Roosevelt, Richland, Dawson, Prairie, Wibaux, Fallon, Custer, Carter and Powder River."

Amend by adding a new section to be known as Section 2-A, providing that the open season for hunting and killing elk in Park County, be extended from December 15 to January 10, both dates inclusive, of each year."

Senate Committee of the Whole amendment to H. B. No. 34:

Amend in Senate Committee on Fish and Game amendment by striking out in lines 34 and 35 the words "and Powder River," at the end of said amendment.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 146, by Campbell.

H. B. No. 148, by Committee on State Lands.

H. B. No. 150, by O'Shea.

H. B. No. 152, by Committee on Townships and Counties.

H. B. No. 79, by Marshall.

H. B. No. 188, by Setzer and Anderson.
H. B. No. 215, by Committee on Dairying.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 142 be amended in the title by striking out in line 2 thereof the second capital letter "E" in the name E. E. Gleed, and inserting in lieu thereof the letter "R"; and as so amended, recommend said bill be concurred in.

That H. B. No. 214 be concurred in.

That H. B. No. 62 be amended in Section 1 by inserting after the word "sale," in line 3 the following: "or purchasing gasoline within this state in quantities of not less than railway tank car lots." That said bill be amended in Section 4 by inserting after the word "sale," in line 4 the following: "or purchasing gasoline within this state in quantities of not less than railway tank car lots." And as so amended, recommend said bill be concurred in.

That H. B. No. 111 be amended by inserting a new section to be numbered Section 8, as follows: "Section 8. If the State of Montana shall enter the business contemplated by this Act, it shall be subject to and shall pay all license taxes imposed by state or federal law, upon persons and corporations engaged in like business in this state." And that Section 8 as contained in the bill be renumbered Section 9. And as so amended, recommend said bill be concurred in.

That H. B. No. 103 be not concurred in.

That H. B. No. 3 be not concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 291 be concurred in.

That H. B. No. 222 be concurred in.

That H. B. No. 97 be amended in Section 1 by striking out in lines 20 and 21 the words, "and such assessment shall not be reduced"; be amended in Section 1 by striking out in line 60 the word "April" and inserting in lieu thereof the word "May"; be amended in Section 1 by striking out in line 70 the word "May" and inserting in lieu thereof the word "June"; and as so amended, recommend said bill be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 22, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate standing committees this day reported as follows:

Committee on Compensation: That H. B. No. 28 be not concurred in. Report adopted.

Committee on Compensation: That H. B. No. 178 be concurred in. Report adopted.

Committee on Constitutional Amendments: That S. B. No. 46 do not pass. Report adopted.

Committee on Constitutional Amendments: That S. B. No. 51 do not pass. Report adopted.

Committee on Constitutional Amendments: That S. B. No. 97 be returned without recommendation. Report adopted.

Committee on Constitutional Amendments: That S. B. No. 151 be amended by changing the period at the end of Section 8 to a semicolon, and then adding the following: "But every such law shall provide that no county or counties shall be abandoned, abolished, terminated, or consolidated except by a majority vote, expressed at an election of the duly qualified electors in each county proposed to be abandoned, abolished, terminated, or consolidated by such law." And as so amended, recommend that bill do pass. Report adopted.

Committee on Constitutional Amendments: That S. B. No. 170 do not pass. Report adopted.

Committee on Constitutional Amendments: That S. B. No. 173 do not pass. Report adopted.

Committee on Constitutional Amendments: That H. B. No. 147 be concurred in. Report adopted.

Committee on Insurance: That H. B. No. 283 be amended by striking out all of paragraph 10 of Section 2, and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Roads and Highways: That H. B. No. 237 be not concurred in. Report adopted.

Committee on Stockgrowing and Grazing: That H. B. No. 207 be concurred in. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Groene: Move that S. B. No. 153 be re-referred to Committee on Judiciary. Seconded. Carried.

THIRD READING OF SENATE BILLS

Senate Bill No. 110, introduced by Committee on Irrigation, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 95.

Noes: None.

Absent and not voting: Campbell, Cusker, Doran, Knowles, Sullivan Mr. Speaker. Total 6.

The Speaker: Ninety-five have voted "aye," none have voted "no" S. B. No. 110 has been concurred in.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for consideration of General Orders under the rules of the previous sitting. Seconded. Carried.

Doe of Granite in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 91, 16, 72, 13, 99 and 44, respectfully report and recommend as follows:

That S. B. No. 91 be not concurred in.

That S. B. No. 16 be not concurred in.

That S. B. No. 72 be passed for the day.

That S. B. No. 13 be concurred in.

That S. B. No. 99 be not concurred in.

That S. B. No. 44 be amended as follows: In Section 1, line 4, by inserting before the word "in" the words, "except in judicial districts, consisting of a single county, where the salary per annum shall remain as heretofore under this section," and as so amended, the bill be concurred in

DOE, Chairman."

Doe: Move the adoption of the report. Seconded.

Marshall: Move that Senate Bills 91, 16 and 99 be segregated from the report of the Committee of the Whole, that a roll call be had separately on each one, and that the roll calls be entered on the Journal. Seconded. Carried.

A call of the House was demanded. The roll was thereupon called and all members of the House were present except Nutting and Sullivan, excused.

The question of the segregation of Senate Bill No. 91 was then put, resulting in the following vote:

Ayes: Anderson, Annin, Arnold, Ballard, Besancon, Bjorneby, Blankenbaker, Byrne, Chapman, Conner, Cusker, Daugherty, Freed, Givens, Green (Dawson), Haight, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Manning, Marshall, Miller (Big Horn), Nass, Nelstead, O'Shea, Quamme, Ragen, Ralston, Rolph, Setzer, Shannon, Spangler, Sparling, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Whaley, Wigal, Woodcock. Total 44.

Noes: Abrahamson, Acher, Ballard, Beadle, Breitenstein, Campbell, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Snidow, Somerville, Stephens (McCone), Stiefel, Watson (Meagher), Watson (Missoula), White, Mr. Speaker. Total 55.

Absent and not voting: Nutting, Sullivan. Total 2.

The Speaker: Forty-four have voted "aye," 55 have voted "no"; the motion to segregate Senate Bill No. 91 has been defeated.

The question of the segregation of Senate Bill No. 16 was then put, resulting in the following vote:

Ayes: Anderson, Annin, Arnold, Besancon, Blankenbaker, Chapman, Cusker, Daugherty, Fowler, Freed, Green (Dawson), Haight, Hilger, Jolecek, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, Manning, Marshall, Miller (Big Horn), Nass, Nelstead, O'Shea, Quamme, Ragen, Ralston, Replogle, Rolph, Setzer, Shannon, Spangler, Sparling, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Whaley, Woodcock. Total 44.

Noes: Abrahamson, Acher, Ballard, Beadle, Bjerneby, Breitenstein, Byrne, Campbell, Conner, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Larsen, McCarvel, McDermott, McElwain, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Schuster, Snidow, Somerville, Stephens (McCone), Stiefel, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 54.

Absent and not voting: Nutting, Sullivan. Total 2.

Passed: Roll. Total 1.

The Speaker: Forty-four have voted "aye," 54 have voted "no"; the motion to segregate Senate Bill No. 16 has been defeated.

Marshall: I request permission to withdraw my motion regarding Senate Bill No. 99. Without objection, so ordered.

The Speaker: The House will please take notice that the Speaker is about to sign Senate Bill No. 29.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Economy, having had under consideration Senate Bill No. 143, a Bill for an Act entitled: "An Act to amend Sections 12438 and 1524 of the Revised Codes of the State of Montana of 1921; and Section 1415, of the Revised Codes of the State of Montana of 1921, as amended by Chapter 42 of the Session Laws of the Eighteenth Legislative Assembly of 1923, and as further amended by Chapter 149, of the Session Laws of the Twenty-first Legislative Assembly of 1929, relating to the salaries of certain state appointive officers," respectfully report and recommend as follows:

That Senate Bill No. 143 be concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 186, introduced by Holt, a Bill for an Act entitled: "An Act requiring and authorizing the Board of Commissioners of an irrigation district to enforce all by-laws, rules and regulations adopted in pursuance to Section 7174 of the Revised Codes of Montana of 1921, as amended by Chapter 157 of the Laws of the Eighteenth Legislative Assembly, relative to the apportionment and distribution of water to the lands of the district and for the protection and preservation of the works and other property of the district, and granting authority to such Commissioners for that purpose," respectfully report and recommend as follows:

That Senate Bill No. 186 be concurred in.

NUTTING, Chairman."

On motion by Parker of Broadwater, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights having had under consideration Senate Bill No. 167, introduced by Committee on Irrigation and Water Rights, a Bill for an Act Entitled: "An Act relating to irrigation districts, authorizing and empowering irrigation district and the Commissioners thereof to amend or supplement original contracts with the United States and relating to the procedure to be followed in making such contracts," respectfully report and recommend as follows:

That Senate Bill No. 167 be concurred in.

NUTTING, Chairman."

On motion by Porter, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights having had under consideration Senate Bill No. 158, introduced by Committee on Irrigation and Water Rights, a Bill for an Act entitled: "An Act to amend Section 7249, Revised Codes of Montana, 1921, to provide for payment of certain irrigation district assessments by the surrender of certain bonds and coupons," respectfully report and recommend as follows:

That Senate Bill No. 158 be concurred in.

NUTTING, Chairman."

On motion by Parker of Broadwater, report adopted.

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 111, introduced by Committee on Irrigation and Water Rights, a Bill for an Act entitled: "An Act to amend Chapter 155, of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana of 1931, changing the name of the Mississippi Valley Water Conservation Commission, enlarging the duties of said Commission by including authority for the consideration of all natural resources and a study of the laws relating thereto," respectfully report and recommend as follows:

That Senate Bill No. 111 be concurred in.

NUTTING, Chairman."

On motion by Parker of Broadwater, report adopted.

"Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Senate Bill No. 92, a Bill for an Act entitled: "An Act to amend Section 1, and Section 4, of Chapter 119, of the Laws of Montana of 1931, providing for the creation, size, location, boundaries and procedure for the establishment of a horse herd district, from which area horses are barred from running at large; providing a penalty for horses running at large within said district; providing the person, owner or person in control of such horse or horses shall be liable for all damages sustained thereby; and providing for the impounding and disposition of said horse or horses; and providing for the dissolution of such districts," respectfully report and recommend as follows:

That Senate Bill No. 92 be amended as follows:

That Section 1, page 2, line 13, of the original bill be amended by striking out the period after the word "district" and inserting thereafter the following: "the estimated expense of all publications required by this Act shall be paid by the petitioners, and no part thereof shall be paid by the county." That Section 4, page 4, line 19, be amended as follows: That the word "fifteen" at the end of the sentence be stricken out and the words and figures "twenty-one (21)" be inserted in lieu thereof.

And that so amended same be concurred in.

ARNOLD, Chairman."

On motion by Arnold, report adopted.

"Mr. Speaker: We, your Committee on Economy, having had under consideration Senate Bill No. 82, a Bill for an Act entitled: "An Act amending Sections 8814, 440, 202, 219, 284, 363, 437, 438, 439, 933, 1558, 958, 2446, 2739, 2740, 2819, 3255, 3557, 3784 and 3786, of the Revised Codes of the State of Montana of 1921, and amending Section 14, of Chapter 16, of the Session Laws of the Twentieth Legislative Assembly of 1927, and amending Section 3, of Chapter 179, of the Session Laws of the Nineteenth Legislative Assembly of 1925, and amending Section 59, of Chapter 9, of the Session Laws of the Twentieth Legislative Assembly of 1927, relating to the salaries and compensation of certain state officers, district judges, and of all deputy state officers and clerks, stenographers, and employees and all state offices, commissions, boards, bureaus and departments, and further providing that all Acts and parts of Acts in conflict with the provisions of this Act are hereby specifically amended according to this Act," respectfully report and recommend as follows:

That S. B. No. 82 be concurred in.

HAIGHT, Chairman."

On motion by Haight, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 105, a Bill for an Act entitled: "An Act to amend Section 6433, of the Revised Codes of the State of Montana of 1921, relating to the powers invested in any organization created under the Co-operative Marketing Act, and providing for the handling of products of non-members," respectfully report and recommend as follows:

That S. B. No. 105 be concurred in.

SNIDOW, Chairman."

On motion by Snidow, report adopted.

Besancon: Move the House now adjourn until 9:30 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

TEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-FOURTH DAY

House of Representatives,
Helena, Montana, February 24, 1933.

House convened, pursuant to adjournment, at 9:30 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Rev. John S. Benson of Helena.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-second Legislative day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 84; A Bill for an Act Entitled: "An Act to amend Section 2153 of the Revised Codes of Montana of 1921, as amended

by Chapter 18 of the Acts of the Nineteenth Legislative Assembly and Chapter 113 of the Acts of the Twentieth Legislative Assembly of the State of Montana; relating to taxes on personal property and the lien thereof. Respectfully report and recommend as follows:

That S. B. No. 84 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 73: A Bill for an Act Entitled; "An Act providing that the sale or removal from the State of Montana of personal property covered by a conditional sales contract or lease, without the consent of the vendor or lessor, or the concealment of said property within the state and refusal to deliver possession after default and demand of vendor or lessor shall constitute a felony, and prescribing the penalty therefor. Respectfully report and recommend as follows:

That S. B. No. 75 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 115: A Bill for an Act Entitled: "An Act to amend Section 5792, of the Revised Codes of Montana, 1921, relating to separate property of wife." Respectfully report and recommend as follows:

That S. B. No. 115 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 199: A Bill for an Act Entitled: "An Act defining the duration of liens of mortgages upon real estate, and the manner of the extension thereof, and amending Section 8267, of the Revised Codes of Montana of 1921." Respectfully report and recommend as follows:

That S. B. No. 199 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 184: A Bill for an Act Entitled: "An Act to amend Section 4452, of the Revised Codes of Montana, 1921, relating to Board of County Commissioners and how composed." Respectfully report and recommend as follows:

That S. B. No. 184 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 114: A Bill for an Act Entitled: "An Act to amend Chapter 160 of Part 3 of the political code of the Revised Codes of the State of Montana of 1921, relating to the assessment of property for taxation purposes, by the addition thereto of a new Section to be known as Section 2013A and providing the method for fixing the valuation of all public utility property for taxation purposes." Respectfully report and recommend as follows:

That S. B. No. 114 be re-referred to the Judiciary Committee.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 203, introduced by Church: A Bill for an Act Entitled: "An Act in relation to arson and the burning of property to defraud an insurer; and to repeal Sections 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345 and 11426, of the Revised Codes of Montana of 1921." Respectfully report and recommend as follows:

That S. B. No. 203, be concurred in.

BJORNEBY, Chairman."

On motion by Bjorneby, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 13: A Memorial Memorializing the Congress of the United States urging immediate action toward curbing importation of foreign goods, at the expense of closing of our mines, mills, and factories, and the unemployment of our people." Respectfully report and recommend as follows:

That Senate Joint Memorial No. 13 be concurred in.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 5: A Resolution requesting the enactment by Congress of Legislation Necessary to bring about the completion of a through seaway via the St. Lawrence River, and requesting the President of the United States to proceed to a treaty with Canada relative thereto." Respectfully report and recommend as follows:

That Senate Joint Resolution No. 5, be concurred in.

CUSKER, Chairman."

On motion by Cusker, report adopted.

"Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 3: A Resolution Memorializing Congress of the United States to enact House Joint Resolution 191, commemorating the one hundred and fiftieth anniversary of the naturalization as an American citizen in 1783 of Brigadier General Thaddeus Kosciuszko, a hero of the Revolutionary War by issuing special series of postage stamps in honor of Brigadier General Thaddeus Kosciuszko." Respectfully report and recommend as follows:

That Senate Joint Resolution No. 3, be concurred in.

CUSKER, Chairman."

On motion by Cusker, report adopted.

COMMUNICATIONS FROM GOVERNOR AND SENATE

Helena, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the return from the House of Sub. House Bill No. 237, for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the request of the Senate be granted. Seconded. Carried.

Helena, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendment to Sub. S. B. No. 9, and requested a Conference Committee be appointed to confer with a like committee from the House for consideration of said amendments, whereupon the President appointed the following named Senators to act as such Conference Committee from the Senate.

Senators, Burr, Armstrong and Holton.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move a Conference Committee be appointed. Seconded. Carried.

Besancon: Move that further communications from the Senate be considered read at length, and the Journal so show. Seconded. Carried.

Helena, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 62 by Ralston, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Corporations Other than Municipal, Amendment to H. B. No. 62:

Amend by striking out in line 8, printed bill, after the word "bond," lines 8 and 9 and first six words in line 10, and by inserting in lieu thereof the words, "or such collateral security or indemnity as may be deemed sufficient by the State Board of Equalization, but in no case more than estimated amount of gasoline taxes for two successive months." Further amend by striking out in line 12 after the word, "application," the words, "and bond."

Senate Committee of the Whole Amendments to H. B. No. 62:

Amend in Section 1 by inserting after the word, "sale" in line 3 the following: "or purchasing gasoline within this state in quantities of not less than railway tank car lots." Amend in Section 4 by inserting after the word, "sale" in line 4 the following: "or purchasing gasoline within this state in quantities of not less than railway tank car lots."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committee this day reported as follows:

Committee on Constitutional Amendments: That S. B. No. 38 do not pass. Report adopted.

Committee on Agriculture: That H. B. No. 41 be not concurred in, report adopted.

Committee on Agriculture: That H. B. No. 172 be concurred in, report adopted.

Committee on Roads and Highways: That H. B. No. 145 be concurred in. Report adopted.

Committee on Roads and Highways: That H. B. No. 250 be amended by striking out on Page 1 all of lines 30, 31 and 32 and line 2 on page 2 and inserting in lieu thereof: (e) No passenger vehicle shall carry any load extending beyond the line of the fenders on either side of such vehicle more than twelve inches (12 inches)." and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Roads and Highways: That House Joint Memorial No. 7 be concurred in, report adopted.

Committee on State Lands: That Substitute House Bill No. 183 be concurred in, report adopted.

Committee on Labor and Capital: That House Bill No. 194 be amended by adding in line 20, original bill, the following: "Section 3. The provisions of this Act shall not apply to beet receiving station employees, or superintendents, master mechanics, beet end, sugar end and steffan house foreman." Also amend by renumbering the following section to conform; and as so amended, recommend said bill be concurred in, report adopted.

Committee on Elections and Privileges: That House Bill No. 302 be not concurred in. Report adopted.

Committee on Banks and Banking: That House Joint Resolution No. 6 be not concurred in, report adopted.

Committee on Fish and Game: That House Bill No. 197 be amended in the title by striking out in line 2 after the word, "Sanders", the words, "and Mineral Counties," and inserting in lieu thereof the word, "county"; amend in Section 1 by striking out lines 5, 6 and 7, printed bill, lines 12, 13, 14, and to the word, "thence," in line 15 of the engrossed bill, and inserting in lieu thereof the following words: "Beginning at a point where the northwest corner of Section 29, of Township 20 North of Range 8 East intersects the summit of the Coeur d'Alene Mountains which is a point on the boundary line dividing Mineral and Sanders counties."

And as so amended, recommend said bill be concurred in, report adopted.

Committee on Fish and Game: That House Bill No. 275 be concurred in, report adopted.

Committee on Finance and Claims: That House Bill No. 123 be concurred in, report adopted.

Committee on Finance and Claims: That House Bill No. 118 be concurred in, report adopted.

Committee on Roads and Highways: That House Bill No. 77 be amended in Section 2 by adding sub-section (f), Page 10, Line 20, to read as follows: "It shall not be necessary to refile with the Registrar of Motor Vehicles any instruments on file in the offices of the County Clerks and Recordors at the time this law takes effect." Amend Section 2, Page 10, Lines 26 and 27, by striking out the word, "either," and "or legal owner"; also by inserting between the words "for" and "issuing," Line 29, the words, "filing chattel mortgages, conditional sales contracts or assignments thereof and also for"; also by inserting between the words, "dollars," and "A", Line 28, the words, "A fee of twenty-five cents shall be paid for filing satisfactions of chattel mortgages or conditional sales contracts," also by adding at the end of sub-section 5, Line 30, Page 10, the following: "If any additional clerical help is necessary in order to handle the filing of chattel mortgages, conditional sales contracts and assignments as provided by this Act, the Registrar may employ such additional help subject to the approval of the State Board of Examiners, who shall fix the salaries of such clerks, and any such additional clerks shall be paid from the filing fees herein provided." And as so amended, recommend said bill be concurred in, report adopted.

Committee on Roads and Highways: That H. B. No. 73 be amended as follows;

(1) That Section 1 be amended by inserting a period in place of comma in Line 16, Page 3, of the engrossed bill (Line 35, Page 3 of printed bill), and by striking out the words beginning with the words "the amount" Line 16, Page 3, (Line 35, Page 3 of printed bill), and ending with the word "collect" Lines 18 and 20 Page 3 (Line 38, Page 3 of printed bill).

(2) That Section 1 Sub-Section 7 be amended by striking out in lines 17 and 18 of Page 6 of the engrossed bill (Lines 108 and 109, Page 5 of printed bill), the words "County Treasurer who issued the original number" and inserting in lieu thereof "Registrar of Motor Vehicles."

(3) That Section 1 be amended by striking out all words beginning with the word "assign" in Line 8 on Page 4 of the engrossed bill (Line 55 Page 3 of printed bill) and ending with the words "such vehicles" Line 12 of Page 4 (Line 56, Page 3 of printed bill) and inserting in lieu thereof the following: "in the case of motor vehicles registered for the first time issue to the applicant a sticker upon a form to be prepared and furnished by Registrar of Motor Vehicles, reciting that license fees have been paid such sticker to be used pending receipt of license plates as hereinafter provided."

(4) That Section 1 be amended by adding the following after the words "municipal purposes," Line 14, Page 4 of the engrossed bill (Line 58, Page 3 printed bill): "Upon receipt of duplicate application the Registrar of Motor Vehicles shall assign such motor vehicles a distinctive number and mail to the applicant two number plates, which shall bear such distinctive number, together with the certificate of registration as provided in Section 1758 as amended."

(5) That Section 1 be amended by striking out the word "shipping" in Line 23, Page 4 of the engrossed bill (Line 65, Page 3 of printed bill), and inserting in lieu thereof the word "mailing."

(6) That Section 1 of the engrossed bill be amended by striking out in Lines 31 and 32 on Page 4 (Lines 71 and 72, Page 4 of printed bill), the following words: "the registration fees paid to the Registrar by the dealers of said county" and inserting in lieu thereof the following words "its pro rata share of any fees paid to the Registrar of Motor Vehicles."

(7) That Section 2 be amended by striking out all words beginning with the words "County Treasurer" in Line 29, Page 6 of the engrossed bill (Lines 5, Page 5 of printed bill) and ending with the words "assigned by" in Line 31, Page 6 (Line 6, Page 5 of printed bill).

(8) That Section 2 of the engrossed bill be amended by striking out all words beginning with the word "on" Line 11, Page 7 (Line 15, Page 5 of printed bill) and ending with the word "plate" Line 27, Page 7 (Line 28, Page 6 of printed bill): inserting in lieu thereof the following: "The distinctive registration numbers shall begin with No. 1 and be numbered consecutively for each series of plates. The distinctive registration number assigned to the vehicle and the number or symbol number for the county in which the number plate is issued shall appear on the plate. The dimensions of such numerals and the manner of placing the same on said number plates shall be determined by the Registrar of Motor Vehicles."

(9) That Section 2 be amended by striking out all words beginning with the words "Number plates" Line 16, Page 8 of the engrossed bill (Line 44, Page 6 of printed bill) and ending with the words "Motor Vehicles" Line 20, Page 8 (Line 47, Page 6 of printed bill).

(10) That Section 3 be amended by inserting the following between the words "Equalization" and "and" Line 29 and 30, Page 8 (Lines 7 and 8, Page 6, of printed bill) "and except motor vehicles theretofore assessed as provided herein and Section 1759 as amended by this Act" also by inserting between the words "also" and "assess" in Line 2, Page 9 of the engrossed bill (Line 13, Page 7 of printed bill) the following "pursuant to the provisions of Section 1759 as amended by this Act"; also by striking out the words "not theretofore assessed under the provisions of Section 1759 as amended by this Act but"; in Lines 3 and 4, Page 9 of the engrossed bill and inserting in lieu thereof the following: "On January 1st of each year and all motor vehicles."

(11) That Section 3 be amended by striking out in Line 18, Page 10, of the engrossed bill (Line 33, Page 8 of the printed bill), the words "November 30" and inserting in lieu thereof "other personal property taxes are collected."

(12) That a new section to be designated Section 5 be inserted as follows: Section 5. That Section 4 of Chapter 158 of the Session Laws of 1931 be and the same is hereby amended to read as follows:

"Section 4. The Treasurer of any county shall not accept any application for registration or re-registration of any motor vehicle unless such application is accompanied by the registration receipt issued for the last year in which such vehicle was registered, except in cases of vehicles not previously registered in this state, and provided that such registration receipt will not be required when the applicant files with the County Treasurer a statement under oath that such vehicle was not driven or operated upon the highways of the State during the previous year."

(13) That Section 5 of the engrossed bill be re-numbered Section 6; that the following be inserted between the words "that" and "all" in line 6, Page 11 (Line 1, Page 8 of printed bill); "Section 1, 2 and 3 of Chapter 171 of the Session Laws of 1929 and Section 3 of Chapter 158 of the Session Laws of 1931 and".

(14) That Section 6 of the engrossed bill be re-numbered Section 7. And as so amended, House Bill No. 73, be concurred in, report adopted.

Committee on State and County Economy: That H. B. No. 157 be not concurred in, report adopted.

Committee on State and County Economy: That H. B. No. 164 be referred to Committee on Finance and Claims, report adopted.

Committee on State and County Economy: That H. B. No. 248 be concurred in, report adopted.

Committee on State and County Economy; That H. B. No. 252 be concurred in, report adopted.

Committee on State and County Economy: That H. B. No. 306 be concurred in, report adopted.

Committee on Dairies and Dairying: That H. B. No. 131 be not concurred in, report adopted.

Committee on Dairies and Dairying: That Sub. H. B. No. 216 be concurred in. Report adopted.

Committee on Compensation: That H. B. No. 110 be amended by striking out the period at the end of the title and inserting a comma in lieu thereof, and adding the following: "and extending the time within which claims may be presented to the board for action"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Agriculture: That H. B. No. 240 be concurred in. Report adopted.

Committee on Compensation: That H. B. No. 182 be reported back without recommendation. Report adopted.

Committee on Labor and Capital: That H. B. No. 166 be concurred in. Report adopted.

Committee on Labor and Capital: That H. B. No. 233 be concurred in. Report adopted.

Committee on Labor and Capital: That H. B. No. 274 be not concurred in. Report adopted.

Committee on Stockgrowing and Grazing: That H. B. No. 202 be concurred in. Report adopted.

Committee on Constitutional Amendments: That S. B. No. 30 do pass
Report adopted.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 147 be concurred in.

That H. B. No. 178 be concurred in.

That H. B. No. 31 be not concurred in.

That H. B. No. 283 be amended in Section 2 by adding after line 3 two additional sub-sections to be numbered 10 and 11, respectively, as follows:

(10) Stock of a domestic corporation, issued by said corporation, and sold by it or subscriptions taken for same, without the payment of any commission or expense to solicitors, agents or brokers in connection with the sale thereof.

(11) Units of a domestic common law trust or syndicate issued by such syndicate or trust and sold or subscriptions taken for the sale of same by such trust or syndicate without the payment of any commission or expense to solicitors, agents or brokers in connection with the sale of same and as so amended, recommend that said H. B. No. 283 be concurred in.

That H. B. No. 194 be concurred in.

That H. B. No. 250 be amended in Section 1 by adding in line 7 after the word, "husbandry," the words, "equipment, structures, or implements of industry"; and as so amended, recommend said bill be concurred in.

That H. B. No. 197 be concurred in.

That H. B. No. 28 be not concurred in.

That H. B. No. 207 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

H. B. No. 214, by Committee on Appropriations.

H. B. No. 222, by Logan and Byrne, by request.

H. B. No. 291, by Committee on Appropriations.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence, and bills are herewith returned to the House:

H. B. No. 28.

H. B. No. 41.

H. B. No. 274.

H. B. No. 131.

H. J. R. No. 6.
H. B. No. 302.
H. B. No. 157.

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Parker (Flathead): Move that a committee of five be appointed to interview the state officers and appointees to ascertain their attitude toward a voluntary salary cut. Seconded. Carried.

The Speaker thereupon appointed Groene (Fergus), Byrne, Hagerty, Watson (Meagher), and Parker (Flathead) as such committee.

THIRD READING OF SENATE BILLS

Senate Bill No. 13, introduced by Wass and Page, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Arnold, Balgord, Beadle, Bjerneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doran, Duffy, Findlater, Fowler, Freed, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harrington, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Love, McCarvel, McElwain, Manning, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Quamme, Ragen, Replogle, Rognlien, Rolph, Schuster, Shannon, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Whaley, Woodcock. Total 60.

Noes: Annin, Ballard, Besancon, Campbell, Ecton, Ferry, Fitzstephens, Givens, Green (Dawson), Hilger, Jensen, Lott, McDermott, Marshall, Nelstead, Parker (Broadwater), Pierson, Pilgeram, Rearden (Cascade), Roll, Snidow, Stiefel, Watson (Missoula), Wigal, Mr. Speaker. Total 25.

Absent and not voting: Abrahamson, Acher, Doe, Harlen, Logan, Mason, Moss, Porter, Ralston, Reardon (Deer Lodge), Setzer, Somerville, Spangler, Sullivan, Watson (Meagher), White. Total 16.

The Speaker: Sixty have voted "aye," 25 have voted "no"; Senate Bill No. 13 has been concurred in by the House.

Senate Bill No. 44, introduced by Husband, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Chapman, Cusker, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Fraudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Hilger, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McDermott, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Replogle, Rognlien, Rolph, Schuster, Setzer, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 72.

Noes: Ballard, Campbell, Conner, Duffy, Goodwin, Haight, Jensen, McCarvel, McElwain, Nutting, Rearden (Cascade), Roll, Snidow, Stephens (McCone). Total 14.

Absent and not voting: Abrahamson, Acher, Doe, Doran, Harlen, Holecek, Larsen, Mason, Moss, Ralston, Reardon (Deer Lodge), Shannon, Somerville, Spangler, Sullivan. Total 15.

The Speaker: Seventy-two have voted "aye," 14 have voted "no." Senate Bill No. 44 has been concurred in by the House.

The Speaker: The Chair will appoint at this time as the conferrer committee on Senate Bill No. 9, Grabow of Park, Spangler of Mineral, a Annin of Stillwater.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders under the rules of January 31, except that there shall be no trading of time. Seconded. Carried.

Love of Dawson in the Chair.

Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 72, 137, 54, S. J. M. 14. Senate Bills Nos. 164, 25, S. A. H. B. No. 85, S. A. H. B. No. 34, S. A. H. B. No. 165, S. Nos. 105, 92, 143, respectfully report and recommend as follows:

That Senate Bill No. 72 be amended as follows:

Amend Section 5 by striking out the period after the word "treasure" and inserting in lieu thereof the words, "provided that such fee shall not exceed \$5.00 per annum," and as so amended the bill be concurred in

That Senate Bill No. 137 be concurred in.

That Senate Bill No. 54 be placed at the head of General Orders for the afternoon session.

That Senate Joint Memorial 14 be concurred in.

That Senate Bill No. 164 be concurred in.

That Senate Bill No. 25 be temporarily passed.

That S. A. H. B. No. 85 be adopted.

That S. A. H. B. No. 34 be not concurred in and conference committee be requested.

That S. A. H. B. No. 165 be not concurred in and that a conference committee be requested.

That Senate Bill No. 105 be concurred in.

That Senate Bill No. 92 be concurred in.

That Senate Bill No. 143 be concurred in.

LOVE, Chairman."

Love: Move the report of the Committee of the Whole be adopted. Seconded.

O'Connell: Move that Senate Bill No. 143 be segregated from the report of the Committee of the Whole, that a roll call be taken, and that the "ayes" and "nays" be entered on the Journal. Seconded.

A call of the House was demanded, and upon roll call all members were present except Abrahamson, Fowler, Moss, Sullivan, all excused on account of illness; Acher, Harlen and Replogle.

On motion of Besancon, further proceedings on the call of the House were dispensed with.

The motion of O'Connell, that Senate Bill No. 143 be segregated from the report, was then put to vote, a roll call was taken, and resulted in the following vote:

Ayes: Beadle, Breitenstein, Campbell, Doe, Ferry, Findlater, Fitzstephens, Freudenstein, Goodwin, Groene (Fergus), Harrington, Larser, McCarvel, McDermott, McElwain, Mason, Metlen, Mulholland, O'Connell, Parker (Flathead), Pilgeram, Ralston, Reardon (Deer Lodge), Roll, Stephens (McCone), Watson (Meagher), Whaley, White. Total 28.

Noes: Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Byrne, Chapman, Conner, Cusker, Daugherty, Ecton, Freed, Givens, Grabow, Green (Dawson), Hagerty, Haight, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Rearden (Cascade), Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Wigal, Woodcock, Mr. Speaker. Total 64.

Absent and not voting: Abrahamson, Acher, Doran, Duffy, Fowler, Harlen, Moss, Replogle, Sullivan. Total 9.

The Speaker: Twenty-eight have voted "aye," 64 have voted "no"; the motion is lost.

The Speaker Pro Tem gave notice that he was about to sign Senate Joint Memorial No. 10, and thereupon signed the same.

The Speaker Pro Tem: The House will please take notice that the Speaker Pro Tem is about to sign Senate Bill No. 94.

The Speaker Pro Tem: The House will please take notice that the Speaker Pro Tem is about to sign Senate Bill No. 78.

The Speaker Pro Tem: The House will please take notice that the Speaker Pro Tem is about to sign Senate Bill No. 47.

The Speaker Pro Tem: The House will please take notice that the Speaker Pro Tem is about to sign Senate Bill No. 41.

MOTIONS AND RESOLUTIONS

Marshall: Move the House now reconsider its action on Senate Bill No. 99. Seconded. Carried.

Watson of Missoula: Move the House now reconsider its action on Senate Bill No. 16. Seconded. A roll call was demanded and that the "ayes" and "nays" be entered on the Journal.

Call of the House was demanded. Further proceedings under call of the House dispensed with.

Mr. Speaker entered the hall of the House, and took the Chair.

The motion to reconsider the action of the House on Senate Bill No. 6 was then put to vote, the roll was called, and resulted in the following vote:

Ayes: Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Blankenbaker, Conner, Daugherty, Ecton, Freed, Green (Dawson), Haight, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Manning, Marshall, Mason, Miles, Miller (Big Horn), Nass, Nutting, O'Shea, Porter, Quamme, Ragen, Ralston, Rolph, Setzer, Shannon, Snidow, Spangler, Sparling, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 49.

Noes: Abrahamson, Acher, Ballard, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Doe, Ferry, Findlater, Fitzstephens, Freudentein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Larsen, Love, McCarvel, McDermott, McElwain, Metlen, Miller (Lincoln), Mulholland, Nelstead, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Somerville, Stephens (McCone), Stiefel, Watson (Meagher), White. Total 46.

Absent and not voting: Doran, Duffy, Fowler, Harlen, Moss, Sullivan. Total 6.

The Speaker: Forty-nine have voted "aye," 46 have voted "no"; the motion has carried.

Marshall: Move the Senate be requested to return Senate Bill No. 6 to the House. Seconded. Carried.

Marshall: Move the Senate be requested to return Senate Bill No. 99 to the House. Seconded. Carried.

O'Connell: Move the House now reconsider its action on Senate Bill No. 91. Seconded. Carried.

Beadle: Move the Senate be requested to return Senate Bill No. 99 to the House, and that a roll call be taken and the "ayes" and "nays" entered on the Journal. Seconded.

The roll call was taken, and resulted in the following vote:

Ayes: Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Blankenbaker, Chapman, Daugherty, Ferry, Freudenstein, Green (Dawson), Haight, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Logan, Manning, Marshall, Miller (Big Horn), Nass, Nelstead, Nutting, O'Connell, O'Shea, Porter, Quamme, Ragen, Rolph, Setzer, Shannon, Spangler, Spangling, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, Wigal, Woodcock. Total 46.

Noes: Abrahamson, Acher, Ballard, Bjorneby, Breitenstein, Byrum, Campbell, Conner, Cusker, Doe, Ecton, Findlater, Fitzstephens, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Jensen, Larsen, Love, McCarvel, McDermott, McElwain, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Parker (Flathead), Parker (Broadwater), Pierson, Pomeroy, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Somerville, Stephens (McCone), Stiefel, Watson (Meagher), White, Mr. Speaker. Total 48.

Absent and not voting: Doran, Duffy, Fowler, Moss, Snidow, Sullivan. Total 6.

Passed: Freed. Total 1.

The Speaker: Forty-six have voted "aye," 48 have voted "no"; the motion is lost.

Besancon: Move that Senate amendments to House Bill No. 111 be placed at the head of General Orders, below Senate Bill No. 54. Seconded. Carried.

Besancon: Move the House now recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 189, introduced by Church, a Bill for an Act entitled: "An Act to amend Section 2831, of the Revised Codes of Montana of 1921, relating to the expenses incurred by the Industrial Accident Board, and to the fees paid to and from the industrial administrative fund; and providing for an assessment on percentage of pay roll of all employers enrolled under the Workmen's Compensation Act of Montana," respectfully report and recommend as follows:

That Senate Bill No. 189 be not concurred in.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 188, a Bill for an Act entitled: "An Act relative to exemptions from execution in the case of farmers," respectfully report and recommend as follows:

That Senate Bill No. 188 be amended as follows:

That the title be amended by striking out the words "the case of farmers" and inserting the words "certain cases" in lieu thereof; that Section be amended by striking out the words "and who is a farmer," in line 0, page 1, of the original bill, and lines 1 and 2 of the printed bill; that Section 1 be further amended by striking out the words "a farmer who is married or," line 11 of the original bill, and line 2 of the printed bill; that Section 2 be amended by striking out the words "a farmer who is married," in lines 14 and 15 of the original bill, and in line 2 of Section in the printed bill; that an additional section shall be inserted in the bill following Section 2 and shall be known as Section 3, and shall read as follows: "Section 3. Nothing herein contained shall be interpreted or construed as repealing any provisions of Section 9427 or 9428 of the Revised Codes of Montana of 1921"; that the subsequent sections shall be renumbered accordingly; and that when so amended, the bill be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Substitute Senate Bill No. 193, introduced by Committee on State Boards and Officers, a Bill for an Act entitled: 'An Act to regulate the practice of the profession of public accounting; and repealing Chapter 231, Revised Codes of Montana, 1921, Legislative Assembly of the State of Montana, entitled: 'An Act to regulate the practice of the profession of public accountancy','" respectfully report and recommend as follows:

That Substitute Senate Bill No. 193 be concurred in.

GOODWIN, Chairman."

On motion by Goodwin, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, Montana, February 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day read three several times and concurred in House Bill No. 111, as amended, agreed to title and history, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee of the Whole amendments to House Bill No. 111:

Amend by inserting a new section to be numbered Section 8, as follows: "Section 8. If the State of Montana shall enter the business contemplated by this Act, it shall be subject to and shall pay all license taxes imposed by state or federal law, upon persons and corporations engaged in like business in this state." Amend by renumbering Section 8 to read Section 9.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 142, by Metlen, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for consideration of Senate amendments:

Senate Committee of the Whole amendment to House Bill No. 142:

Amend title by striking out in line 2 thereof the second capital letter "E" in the name of E. E. Glead, and inserting in lieu thereof the letter "R"

Respectfully,

J. F. CONE,
Secretary.

February 24, 1933.

The Honorable House of Representatives of the State of Montana,
Helena.

Early in the session the Assembly enacted a law providing for the funding of the outstanding general fund warrants, amounting to approximately four and one-half million dollars. This legislation and all the facts and circumstances connected therewith are, of course, fresh in your mind and it is not necessary to weary you with the provisions and details of the law as it now stands.

In order to test the validity of this Act a friendly suit was promptly instituted in the Supreme Court. The Court, after due deliberation, found the law contravened no provision of the Constitution and that it was valid in every way. Some doubt had theretofore been cast upon the legality of the general fund warrants and this cloud was also cleared up in this same court decision.

In harmony with the provisions of the Act the State Board of Examiners proceeded to sell the bonds by calling for bids. Notice of the time and place of sale was published in the Helena Independent and the Great Falls Tribune, and printed notices were also sent by mail to more than one hundred bond buying houses in every part of the country. With these notices were also sent copies of the law and a full and complete financial statement of the state. The New York Herald-Tribune carried a notice of the time, the place and terms of sale. The Bond Buyer, a financial journal of Wall Street, carried a complete statement of the securities offered for sale. The notices called for bids to be submitted at the office of the Board of Examiners in the State Capitol at Helena on Thursday, February 23, at eleven o'clock A. M.

No bids were received, although we have had many inquiries by letter and wire concerning the bonds offered for sale and apparently investors are very much interested. Satisfaction is expressed with the law authorizing the sale of the bonds. Faith is expressed in the credit of the state and its financial condition and no doubt is expressed as to the ability of the state to meet the terms and conditions of the proposed bond issue.

The rate of interest seems to be the stumbling block. As you will recall, the law fixes the maximum rate of interest at four per cent and in these times of depression and economic disaster this is not sufficiently attractive to investors and seriously impairs the salability of the bonds. In view of the situation the Board of Examiners decided to submit these facts to you for your respectful consideration and suggest that the present law be amended changing the maximum rate of interest at which these bonds may be sold from four per cent to four and three-fourths per cent. I understand, of course, that the time has passed for the introduction of bills and the transfer of bills from one house to the other. But I trust that this matter will appear to you to be of sufficient importance to warrant suspension of the rule (which I understand can be done by a two-thirds vote) so as to permit this amendment before the end of the session.

I am sure we all realize how important it is to find a market for these bonds and to fund these warrants and how important it is to have this amendment made at the present session. This I believe to be in harmony with good business methods and appears to be absolutely necessary if the state government is to continue to function. The present method of issuing warrants without available funds to pay them will drive the

varrants to a heavy discount, which will impair the credit of the state, materially increase the cost of supplies and equipment necessary for the institutions and greatly interfere with the economical and efficient administration of the state government.

I have addressed this brief note to each House of the Assembly and hope the suggestions made will receive sympathetic consideration and that this amendment be promptly made.

J. E. ERICKSON,
Governor.

Besancon: Move that the message from the Governor be mimeographed as soon as possible, and placed on the desks of the members. Seconded. Carried.

Besancon: Further move that the message from the Governor be referred to the Committee on Ways and Means. Seconded. Carried.

MOTIONS AND RESOLUTIONS

Marshall: Move the Senate be requested to return Senate Bill No. 99 to the House. Seconded. Lost.

Freudenstein: Move that Senate Bill No. 82 be passed for the day. Seconded. Carried.

Byrne: Move that Senate Bill No. 25 be re-referred to the Committee on Townships and Counties. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Ecton of Gallatin in the Chair.
Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 54, Senate amendments to House Bill No. 111, Senate Bills Nos. 186, 167, 111, 158, Senate amendments to House Bill No. 62, Senate amendments to House Bill No. 126, Senate amendments to House Bill No. 66, Senate Joint Resolution No. 3, Senate Bills Nos. 84, 73, 115, Senate Joint Resolution No. 5, Senate Joint Memorial No. 13, Senate amendments to House Bill No. 142, respectfully report and recommend as follows:

That Senate Bill No. 54 be amended as follows: Section 1 by striking out after the period in line 4 of the printed bill the remainder of line 4, all of lines 5 and 6, ending with the word "district" in line 7 and inserting in lieu thereof the following: "The funds for the purchase of said books shall be derived from an appropriation from the general fund of the state made by the Legislature for the specific purpose of purchasing said books"; also in Section 1 in line 10 by adding the following: "All schools receiving free text books to be under the supervision of the County or State Superintendent of Instruction," and as so amended the bill be concurred in.

That Senate amendments to House Bill No. 111 be concurred in.

That Senate Bill No. 186 be concurred in.

That Senate Bill No. 167 be concurred in.

That Senate Bill No. 111 be concurred in.

That Senate Bill No. 158 be concurred in.

That Senate amendments to House Bill No. 62 be concurred in.

That Senate amendments to House Bill No. 126 be concurred in.

That Senate amendments to House Bill No. 66 be concurred in.

That Senate Joint Resolution No. 3 be concurred in.

That Senate Bill No. 84 be concurred in.

That Senate Bill No. 73 be amended as follows: By striking out, lines 6 and 7 of the title, the words "a felony" and inserting in lieu thereof the word "larceny"; and that as so amended, the bill be concurred in.

That Senate Bill No. 115 be concurred in.

That Senate Joint Resolution No. 5 be concurred in.

That Senate Joint Memorial No. 13 be concurred in.

That Senate amendments to House Bill No. 142 be concurred in.

ECTON, Chairman."

On motion by Ecton, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration Senate Bill No. 179, a Bill for an Act entitled: "An Act relating to the licensing of child-placing agencies; defining terms used in this Act; providing penalties for violation of this Act and repealing all Acts and parts of Acts in conflict herewith, respectfully report and recommend as follows:

That Senate Bill No. 179 be concurred in.

JENSEN, Chairman."

On motion by Jensen, report adopted.

Besancon: Move the House now adjourn until 10:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-FIFTH DAY

House of Representatives.
Helena, Montana, February 25, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Sullivan, excused.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 53rd Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 100, a Bill for an Act entitled: "An Act to provide funds for the maintenance of a lighting system in rural improvement districts," respectfully report and recommend as follows:

That Senate Bill No. 100 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 125, a Bill for an Act entitled: "An Act to amend Section 1252 Revised Codes of Montana, 1921, relating to the issuance of bonds by counties, school districts, cities and towns, and vesting the State Board of Equalization with supervision and control over the issuance thereof," respectfully report and recommend as follows:

That Senate Bill No. 125 be not concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Substitute Senate Bill No. 139, a Bill for an Act entitled: "An Act relating to the general and permanent powers of the Board of County Commissioners and providing that real property acquired by said board under a tax deed may be granted and conveyed by deed to the United States of America by said board," respectfully report and recommend as follows:

That Substitute Senate Bill No. 139 be not concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 166, a Bill for an Act entitled: "An Act making it unlawful for the driver of a motor vehicle or other person in said motor vehicle who has or assumes authority over such driver after collision or accident to conceal or attempt to conceal his identity; prescribing the duty of a driver of a motor vehicle or other person in said motor vehicle who has or assumes authority over such a driver after collision or accident; and prescribing penalty for the violation of any of the provisions of this Act," respectfully report and recommend as follows:

That Senate Bill No. 166 be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Judiciary having had under consideration Senate Bill No. 134. A Bill for an Act Entitled: "An Act to amend Chapter 98, of the Session Laws of the Eighteenth Legislative Assembly of 1923, as amended by Chapter 47, of the Session Laws of the twenty-first Legislative Assembly of 1929, relating to the qualifications of the electors entitled to vote upon proposals to create or increase indebtedness of the state, county, city, town, school district, or other municipal corporations, and relating to the official duties concerning therewith." respectfully report and recommend as follows:

That Senate Bill No. 134 be not concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Dairies and Dairying having had under consideration Senate Bill No. 161. A Bill for an Act Entitled; "An Act to amend Section 3355, of the Revised Codes of the State of Montana 1921, relating to the sale of animals under false registration certificates fraudulently changing the markings, and providing for false representation of the production record of cattle." Respectfully report and recommend as follows: That Senate Bill No. 161 be concurred in.

BALLARD, Chairman."

On motion by Ballard report adopted.

"Mr. Speaker: We, your Committee on Fish and Game having had under consideration Senate Bill No. 200, introduced by MacGilvra. A Bill for an Act Entitled: "An Act to amend Section 3777, of the Revised Codes of the State of Montana of 1921, as amended by Section 31, of Chapter 19 of the Session Laws of the Nineteenth Legislative Assembly of 1925, relating to the license for breeding and propagating game birds, game and furbearing animals." respectfully report and recommend as follows:

That Senate Bill No. 200 be concurred in.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game having had under consideration Senate Bill No. 187, introduced by Committee on Fish and Game. A Bill for an Act Entitled: "An Act relating to the taking of elk within the State of Montana, or any portion thereof; the taking of antelope in Chouteau County, Montana; and the taking of fish in Lake County, Montana; relieving damage caused thereby, granting and giving to the State Fish and Game Commission of the State of Montana authority to make and promulgate rules and regulations for the taking, killing, removing or disposing of the same; and providing for the disposal of revenue derived from said rules and regulations, and prescribing the penalties for the violation of this Act." Respectfully report and recommend as follows: That Senate Bill No. 187 be concurred in.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 118. A Bill for an Act Entitled: "An Act to amend Section 4980, of the Revised Codes of the State of Montana of 1921, relating to the making and recording of plats or additions of cities and towns, respectfully report and recommend as follows: That Senate Bill No. 118 be concurred in.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 142, introduced by Kemmis: A Bill for an Act Entitled; "An Act to amend Section 3716 of the Revised Codes of Montana of 1921, relating to the possession or use of traps, seines or nets. Respectfully report and recommend as follows: That Senate Bill No. 142 be concurred in.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 156: A Bill for an Act Entitled: "An Act to amend Section 5306, of the Revised Codes of the State of Montana of 1921, as amended by Chapter 13, Laws of the Twenty-first Legislative Assembly, providing for the discontinuance of streets and alleys by the city or town council." Respectfully report and recommend as follows: That Senate Bill No. 156 be concurred in.

GRABOW, Chairman."

On motion by Grabow, report adopted.

"Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 64, introduced by Larson and Williams: A Bill for an Act Entitled: "An Act amending Section 3670, of the Revised Codes of the State of Montana of 1921, as amended by Chapter 5

of the Session Laws of 1927, providing that all sales and purchases made by the State Fish and Game Commission shall be upon requisitions granted by the State Purchasing Agent." Respectfully report and recommend that Senate Bill No. 64 be concurred in.

SPANGLER, Chairman."

On motion by Spangler, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 117. A Bill for an Act Entitled: "An Act to amend Section 1061, of the Revised Codes of the State of Montana of 1921, relating to the school year, and providing the minimum length of time that school shall be in session." Respectfully report and recommend as follows: That Senate Bill No. 117 be concurred in.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 143, 188, 179, 146, 50, 215, 152, 13, 101, 32, 94, 214, 68, 89, 291.

LARSEN, Chairman."

Without objection, report adopted.

The Speaker gave notice that he was about to sign Senate Bill No. 3, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 8, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 120, and thereupon signed the same in the presence of the House.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the messages from the Senate be considered read at length and the Journal so show. Seconded. Carried.

Helena, February, 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House.

H. B. No. 260, by Annin.

H. B. No. 110, by Abrahamson.

H. B. No. 76, by Groene.

Sub. H. B. No. 189, by Judiciary Committee.

H. B. No. 246, by Freed.

Sub. H. B. No. 72, by Judiciary Committee.

Respectfully,

J. F. CONE,
Secretary.

Helena, February, 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that the Senate this day, on motion, refused to concur in House amendments to S. B. No. 110, and asked that a Conference Committee be

appointed to confer on said amendments, whereupon the President appoint the following Senators to act as such Conference Committee with a li Committee from the House:

Senators Jergensen, Duncan and Keeley.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honoral Body that the Senate Committee of the Whole this day, having had und consideration business on General File, respectfully report and reco mend as follows;

- That H. B. No. 73 be concurred in.
- That H. B. No. 77 be concurred in.
- That H. B. No. 172 be concurred in.
- That Sub. for H. B. No. 183 be concurred in.
- That H. B. No. 145 be concurred in.
- That H. J. M. No. 7 be concurred in.
- That H. B. No. 123 be concurred in.
- That H. B. No. 118 be concurred in.
- That H. B. No. 275 be concurred in.
- That consideration of H. B. No. 233 be passed.
- That consideration of H. B. No. 166 be passed.
- That H. B. No. 202 be concurred in.
- That H. B. No. 248 be concurred in.
- That H. B. No. 306 be concurred in.
- That H. B. No. 252 be concurred in.
- That H. B. No. 216 be concurred in.
- That H. B. No. 240 be concurred in.
- That H. B. No. 201 be concurred in.

That H. B. No. 182 be amended in the title by striking out the wor "or fellow servant" in Line 5; be amended in Section 1 by striking out Line 17 the printed bill, the words, "or his fellow servant"; and as amended, recommend said bill be concurred in.

That consideration of H. B. No. 110 be indefinitely postponed.

Respectfully,

J. F. CONE, Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honoral Body that the following House Bills were this day read three several tim and concurred in, title and history agreed to, and bills are herewith r turned to the House:

- H. B. No. 145, by Highways Committee.
- H. B. No. 147, by Nelstead and Parker of Flathead.
- H. B. No. 172, by Committee on Agriculture.
- H. B. No. 178, by Parker of Flathead.
- Sub. H. B. No. 183, by Committee on State Lands.
- H. B. No. 207, by Committee on State Lands.
- H. B. No. 118, by Committee on Appropriations.
- H. B. No. 124, by Committee on Appropriations.
- H. B. No. 201, by Committee on Military Affairs.
- H. B. No. 202, by Trenne, by request.
- Sub. H. B. No. 216, by Committee on Dairying.
- H. B. No. 240, by Committee on Agriculture.
- H. B. No. 252, by Committee on Economy.
- H. B. No. 275, by Fitzstephens.
- H. B. No. 306 by Committee on Economy.
- H. J. M. No. 7, by Breitenstein.

Respectfully,

J. F. CONE,
Secretary.

Helena, February, 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that House Bill No. 176, by Whaley, was this day recommended for non-concurrence by a majority of the Senate Committee on Taxation, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 24, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable body that Senate Standing Committees this day reported as follows:

Committee on Fish and Game: That H. B. No. 260 be not concurred in, report adopted.

Committee on Judiciary: That H. B. No. 76 be not concurred in, report adopted.

Committee on Judiciary: That Sub. H. B. No. 189 be not concurred in, report adopted.

Committee on Judiciary: That H. B. No. 246 be not concurred in, report adopted.

Committee on Judiciary: That H. B. No. 72 be not concurred in, report adopted.

Committee on Judiciary: That H. B. No. 57 be not concurred in. On motion placed on General File.

Committee on Judiciary: That H. B. No. 186 be amended by striking out in Line 15, original bill, all of the words after the word, "funds"; by striking out all of Lines 16 and 17 up to and including the comma after the word, "relief"; and by inserting after the word, "appropriate" in Line 15 the word, "such"; and as so amended, recommend said bill be concurred in, report adopted.

Committee on Judiciary: That H. B. No. 221 be concurred in, report adopted.

Committee on Judiciary: That Sub. H. B. No. 127 be concurred in, report adopted.

Committee on Judiciary: That H. B. No. 269 be concurred in, report adopted.

Committee on Taxation: That H. B. No. 329 be amended by striking out in Line 24 after the word, "Fund", all of the line, and all of Lines 25 and 26, and inserting in lieu thereof the following: "Any portion of such special fund not required to cover the appropriation made by the legislature for the year in which it was collected, shall revert to the General Fund of the State of Montana." And as so amended, recommend said bill be concurred in, report adopted.

Committee on Taxation: That H. B. No. 241, be concurred in, report adopted.

Committee on Roads and Highways: That H. B. No. 326 be concurred in, report adopted.

Committee on Horticulture: That H. B. No. 135 be concurred in, report adopted.

Committee on Horticulture: That H. B. No. 122 be concurred in, report adopted.

Committee on State Boards and Offices: That H. B. No. 120 be concurred in, report adopted.

Committee on Taxation; That H. B. No. 226 be concurred in, report adopted.

Committee on Taxation: That H. B. No. 97 be amended by striking out all amendments by Committee on Mines and Mining therein and inserting in lieu thereof the following amendments:

Amend Section 1 by adding the following words and figures after the word "made" in Line 48, Page 2, of the printed bill: "12. Actual cost of fire insurance and workmen's compensation insurance. 13. The amount of all taxes paid on the mine or mining claim."

Amend Section 2 by adding the following words and figures after the word "money" in Line 27, Page 4, printed bill: "7. All moneys expended for fire insurance and workmen's compensation insurance. 8. All moneys expended in payment of taxes on the mine or mining claim."

And as so amended, recommend said bill be concurred in, report adopted.

Committee on Taxation: That H. B. No. 23 be amended in Line 13, Section 1 after the word "taxes," by inserting a semi-colon and adding the following words: "Provided further that if the rate of taxation fixed for the year in which the collection is made is an increase over the preceding year's levy, then the said Board of County Commissioners may direct the County Treasurer to collect the amount of such increased levy, but shall not be obliged to do so in cases where, in the opinion of the Board, the cost of collection would exceed the amount of such increase, and provided further that if the tax fixed for the year in which the collection is made shall be less than the levy for the preceding year, then the person from whom such excess tax was collected may file with the Board of County Commissioners a duly verified claim for a refund of such excess tax at any time before the first day of November of the year in which such an excess tax was collected, and such claims shall be allowed and ordered paid by the Board of County Commissioners to the amount of such excess."

And as so amended, report said bill out without recommendation, report adopted.

Majority of Committee on Taxation: That H. B. No. 176 be not concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

THIRD READING OF SENATE BILLS

Senate Bill No. 186, introduced by Holt, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballar Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Finlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holece, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Reardon (Cascade), Reardon (De Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somervill, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strang, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, M. Speaker. Total 84.

Noes: Waite. Total 1.

Absent and not voting: Doe, Fowler, Grabow, Larsen, Metlen, Mosel, Nelstead, O'Connell, Parker (Flathead), Quamme, Ralston, Rolph, Shannon, Sparling, Sullivan. Total 15.

The following passed their vote: Watson (Meagher). Total 1.

The Speaker: Eighty-four have voted "aye", 1 has voted "no"; Senate Bill No. 186 has been concurred in by the House.

Senate Bill No. 167, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Byrne, Doe, Fowler, Moss, Nelstead, Parker (Flathead), Pierson, Quamme, Ralston, Shannon, Stiefel, Sullivan, Woodcock. Total 13.

The Speaker: Eighty-eight have voted "aye," none have voted "no"; Senate Bill No. 167 has been concurred in by the House.

Senate Bill No. 72, introduced by Corwin, having been read three several times, title and history agreed to, was concurred in by the following vote;

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Arnold, Byrne, Doe, Fowler, Freed, Knowles, Marshall, Metlen, Moss, Nass, Nelstead, Parker (Flathead), Pierson, Quamme, Ragen, Ralston, Shannon, Sullivan, Waite, Watson (Meagher), Woodcock. Total 21.

The Speaker: Eighty have voted "aye", none have voted "no"; Senate Bill No. 72 has been concurred in by the House.

Senate Bill No. 137, introduced by Cooper, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Ragen, Rearden (Cas-

cade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock. Total 80.

Noes: None.

Absent and not voting: Arnold, Ballard, Doe, Ferry, Freudenstein, Groene (Fergus), Haight, Larsen, Manning, Marshall, Metlen, Moss, Pierson, Quamme, Ralston, Roll, Shannon, Sullivan, Waite, Watson (Meagher), Mr. Speaker. Total 21.

The Speaker: Eighty have voted "aye," none have voted "no"; Senate Bill No. 137 has been concurred in by the House.

The Speaker gave notice that he was about to sign House Bill No. 32, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 94, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 89, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 68, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 143, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 188, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 214, and thereupon signed the same in the presence of the House.

Senate Joint Memorial No. 14, introduced by Kilduff, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes; Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Campbell, Chapman, Conner, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal. Total 82.

Noes. None.

Absent and not voting: Arnold, Breitenstein, Byrne, Doe, Findlater, Fowler, Knowles, Larsen, McDermott, Marshall, Moss, Pierson, Quamme, Ralston, Schuster, Shannon, Sullivan, Woodcock, Mr. Speaker. Total 19.

The Speaker; Eighty-two have voted "aye," none have voted "no"; Senate Joint Memorial No. 14 has been concurred in by the House.

Mr. Speaker pro tem in the Chair.

Senate Bill No. 164, introduced by Kelsey and Holton, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Chapman, Campbell, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nut-

ting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal. Total 83.

Noes: None.

Absent and not voting: Breitenstein, Fowler, Freed, Groene (Fergus), Knowles, Kruse, Larsen, Logan, Moss, Nass, Parker (Flathead), Quamme, Ralston, Shannon, Sullivan, Watson (Missoula), Woodcock, Mr. Speaker. Total 18.

The Speaker: Eighty-three have voted "aye," none have voted "no"; S. B. No. 164 has been concurred in by the House.

Senate Bill No. 105, introduced by Committee on Agriculture, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecek, Jensen, Kuhl, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal. Total 82.

Noes: Ragen. Total 1.

Absent and not voting: Breitenstein, Fowler, Freed, Groene (Fergus), Harlen, Knowles, Kruse, Larsen, Logan, Moss, Parker (Flathead), Quamme, Ralston, Shannon, Sullivan, Watson (Meagher), Woodcock, Mr. Speaker. Total 18.

The Speaker: Eighty-two have voted "aye," 1 has voted "no"; Senate Bill No. 105 has been concurred in by the House.

Senate Bill No. 92, introduced by Committee on Stock Growing and Grazing, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Arnold, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Bjorneby, Byrne, Campbell, Chapman, Cusker, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Larsen, Lewis, Lott, Love, McCarvel, McDermott, Manning, Marshall, Metlen, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, Pierson, Pilgeram, Porter, Rearden (Cascade), Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal. Total 66.

Noes: Anderson, Annin, Daugherty, Haight, Kruse, Hilger, Kuhl, McElwain, O'Shea, Ragen, Reardon (Deer Lodge), Replogle, Sparling, Stephens (McCone). Total 14.

Absent and not voting: Breitenstein, Conner, Freed, Harlen, Knowles, Logan, Mason, Miles, Moss, Parker (Flathead), Parker (Broadwater), Quamme, Ralston, Setzer, Shannon, Sullivan, Watson (Meagher), Woodcock, Mr. Speaker. Total 19.

The following passed their vote: Holecek, Jensen. Total 2.

The Speaker: Sixty-six have voted "aye," 14 have voted "no"; Senate Bill No. 92 has been concurred in by the House.

Senate Bill No. 143, introduced by Pauline and Kane, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Besancon, Bjerneby, Blankenbaker, Chapman, Conner, Daugherty, Ecton, Fowler, Freed, Givens, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, Manning, Marshall, Miller (Big Horn), Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Ragen, Rearden (Cascade), Rognlien, Setzer, Snidow, Sparling, Stevens (Wheatland), Stiefel, Trenne, Strange, Ueland, Waite, Watson (Missoula), Woodcock. Total 52.

Noes: Abrahamson, Ballard, Beadle, Campbell, Cusker, Doe, Duffy, Ferry, Findlater, Fitzstephens, Freudenstein, Goodwin, Grabow, Groene (Fergus), Harrington, McCarvel, McDermott, McElwain, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, O'Connell, Pilgeram, Porter, Ralston, Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Somerville, Spangler, Stephens (McCone), Sullivan, Watson (Meagher), Whaley, White, Wigal. Total 40.

Absent and not voting: Arnold, Breitenstein, Doran, Larsen, Moss, Quamme, Shannon, Mr. Speaker. Total 8.

The following passed his vote: Byrne. Total 1.

The Speaker: Fifty-two have voted "aye," 40 have voted "no"; Senate Bill No. 143 has been concurred in by the House.

Senate Bill No. 54, introduced by Galt, Willis, Larson, Campbell, Clifford and Kaulbach, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Ballard, Beadle, Byrne, Campbell, Cusker, Daugherty, Doran, Duffy, Ecton, Ferry, Fowler, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Harlen, Jensen, Kuhl, Larsen, McCarvel, McDermott, McElwain, Manning, Mason, Mulholland, Nass, O'Connell, O'Shea, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Stephens (McCone), Sullivan, Whaley, White, Wigal, Woodcock. Total 51.

Noes: Acher, Balgord, Besancon, Bjerneby, Blankenbaker, Chapman, Findlater, Green (Dawson), Haight, Hilger, Holecek, Knowles, Kruse, Lewis, Logan, Lott, Love, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Rognlien, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula). Total 37.

The following "paired": Annin, Setzer. Total 2.

Absent and not voting: Arnold, Breitenstein, Conner, Doe, Fitzstephens, Givens, Moss, Quamme, Shannon, Mr. Speaker. Total 10.

The following passed: Freed. Total 1.

The Speaker: Fifty-one have voted "aye," 37 have voted "no"; Senate Bill No. 54 has been concurred in by the House.

Senate Bill No. 111, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was not concurred in, the vote being as follows:

Ayes: Anderson, Annin, Besancon, Bjerneby, Byrne, Chapman, Conner, Doran, Findlater, Fowler, Green (Dawson), Groene (Fergus), Haight, Jensen, Kruse, Lewis, Lott, Love, Manning, Metlen, Miller (Lincoln), Mulholland, Nelstead, Nutting, Parker (Flathead), Pierson, Porter, Rognlien, Roll, Rolph, Setzer, Snidow, Sparling, Stephens (McCone), Ueland, Watson (Missoula), White, Wigal. Total 38.

Noes: Abrahamson, Acher, Balgord, Ballard, Beadle, Blankenbaker, Campbell, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Hagerty, Harlen, Harrington, Hilger, Holecek, Kuhl, McCarvel, McDermott, Marshall, Mason, Miles, Miller (Big Horn), Nass, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Ragen, Ralston, Rearden (Cascade), Replogle, Schuster, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Watson (Meagher), Whaley, Woodcock. Total 51.

Absent and not voting: Arnold, Breitenstein, Larsen, Logan, McElwain, Moss, Quamme, Reardon (Deer Lodge), Shannon, Waite, Mr. Speaker. Total 12.

The Speaker: Thirty-eight have voted "aye," 51 have voted "no"; Senate Bill No. 111 has not been concurred in by the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 152, and thereupon signed the same in the presence of the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 179, and thereupon signed the same in the presence of the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 291, and thereupon signed the same in the presence of the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 101, and thereupon signed the same in the presence of the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 205, and thereupon signed the same in the presence of the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 13, and thereupon signed the same in the presence of the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 146, and thereupon signed the same in the presence of the House.

The Speaker Pro Tem gave notice that he was about to sign House Bill No. 150, and thereupon signed the same in the presence of the House.

Besancon: Move the House now recess until 2:00 o'clock P. M.

AFTERNOON SESSION

House resumed at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Conference Committee appointed to meet with a like committee from the Senate in regard to House amendments on Substitute Senate Bill No. 9, submit the following report:

We recommend that the Senate concur in the House amendments.

House Committee:

GRABOW,
SPANGLER,
ANNIN.

Senate Committee:

BURR,
ARMSTRONG,
HOLTON.

On motion by Grabow, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 175, introduced by Kane, a Bill for an Act entitled: "An Act to permit the organization of irri-

gation districts by the owner of water of adjudicated water right streams for the specific purpose of operation, administration and improvements of such streams without the interference with or requisition of the decreed water rights of such streams and conferring on such districts the powers, duties and status of a public corporation necessary to carry out the purposes and intent of this Act," respectfully report and recommend as follows: That Senate Bill No. 175 be concurred in.

NUTTING, Chairman."

On motion by Nutting, report adopted.

"Mr. Speaker: We, your Committee on State Lands, having had under consideration Senate Bill No. 127, a Bill for an Act entitled: "An Act to provide for the incorporation of grazing district associations to aid to the conservation, restoration, improvement and use of forage resources in the State of Montana; to authorize such associations to lease purchase, or otherwise acquire county or other lands for such purpose and to provide for the management and use of such lands which will best conserve, restore and improve the forage value thereof," respectfully report and recommend as follows: That Senate Bill No. 127 be concurred in

METLEN, Chairman."

On motion by Metlen, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion, by Senator Barber, was this day adopted

"It has come to my attention that certain moneys have apparently been illegally expended from the university millage fund, and that such expenditures were allowed by the State Board of Examiners:

"Therefore, I move that a special committee of three members from the Senate Committee on State Boards and Officers be appointed by the President and that the House be requested to appoint a like committee to act jointly with this committee from the Senate, in making an investigation of the offices of the State Board of Examiners and the State Board of Education, and report their findings back within three days. Signed Garber."

Whereupon the President appointed the following Senators to act as such committee from the Senate:

Senators Corwin, Kaulbach and Delaney.

Respectfully,

J. F. CONE,
Secretary.

Freudenstein: Move the request of the Senate be granted. Seconded. Carried.

Besancon: Move that further communications from the Senate be considered read at length, and the Journal so show. Seconded. Carried.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 77, by Nelstead, by request, was this day read three several times and concurred in, as amended by Senate Committee on Road and Highways, and title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Roads and Highways Amendments:

Amend in Section 2, Sub-Section (e), Page 10, Line 15, by inserting the word, "twenty," in lieu of the word, "ten." Also amend in Section 2 by adding Sub-Section (f), Page 10, Line 20, to read as follows:

"It shall not be necessary to refile with the Registrar of Motor Vehicles any instruments on file in the office of the County Clerks and Recorders at the time this law takes effect."

Amend Section 2, Page 10, Lines 26 and 27, by striking out the words, "either," and "or legal owner"; also by inserting between the words, "for", and "issuing," Line 29, the words, "filing chattel mortgages, conditional sales contracts or assignment thereof and also for"; also by inserting between the words "dollar," and "A" in line 28 the words, "a fee of twenty-five cents shall be paid for filing satisfactions of chattel mortgages or conditional sales contracts."

Amend by adding at the end of Sub-Section 5, Line 30, Page 10, the following: "If any additional clerical help is necessary in order to handle the filing of chattel mortgages, conditional sales contracts and assignments as provided by this Act, the Registrar may employ such additional help subject to the approval of the State Board of Examiners, who shall fix the salaries of such clerks, and any such additional clerk shall be paid from the filing fees herein provided."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 283, by Committee on Insurance, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Insurance amendment to H. B. No. 283.

Amend by striking out all of Paragraph 10 of Section 2.

Senate Committee of the Whole amendment to H. B. No. 283.

Amend in Section 2 by adding after Line 36 two additional Sub-Sections to be numbered 10 and 11 respectively, as follows:

(10) Stock of a domestic corporation, issued by said corporation, and sold by it or subscriptions taken for same, without the payment of any commission or expense to solicitors, agents or brokers in connection with the sale thereof.

(11) Units of a domestic common law trust or syndicate issued by such syndicate or trust and sold or subscriptions taken for the sale of same by such trust or syndicate without the payment of any commission or expense to solicitors, agents, agents or brokers in connection with the sale of same.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 194, by Reardon of Deer Lodge, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Labor and Capital Amendment to H. B. No. 194:

Amend by adding in Line 20, original bill, the following:

"Section 3. The provisions of this Act shall not apply to beet receiving station employees, or superintendents, master mechanics, beet end, sugar end and steffen house foreman."

Amend by renumbering following Section to conform.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 182, by Nutting, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee of the Whole amendments to H. B. No. 182:

Amend in title by striking out the words, "or fellow servant," in Line 5.

Amend by striking out in Line 17, Section 1, printed bill, the words, "or his fellow servant."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 250, by Committee on Highways, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Roads and Highways amendment to H. B. No. 250:

Amend by striking out on Page 1 all of Lines 30, 31, and 32 and Line 2 on Page 2, and inserting in lieu thereof:

"(e) No passenger vehicle shall carry any load extending beyond the line of the fenders on either side of such vehicle more than twelve inches (12 inches)."

Senate Committee of the Whole amendment to H. B. No. 250:

Amend in Section 1 by adding in Line 7 after the word, "husbandry", the words, "equipment, structure or implements of industry."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 197, by Shannon, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Fish and Game amendments to H. B. No. 197:

Amend title by striking out in Line 2 after the word, "Sanders," the words, "and Mineral Counties," and inserting in lieu thereof the word "county."

Amend in Section 1 by striking out Lines 5, 6 and 7, printed bill, Lines 12, 13, 14 and to the word, "Thence," in Line 15, engrossed bill, and inserting in lieu thereof the following words: "Beginning at a point where the northwest corner of Section 29, of Township 20 North of Range 8 East intersects the summit of the Coeur d'Alene mountains which is a point on the boundary line dividing Mineral and Sanders counties."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 73, by Jensen, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments:

(1) That Section 1 be amended by inserting a period in place of comma in Line 16, Page 3 of the engrossed bill (Line 35, Page 3 of printed bill,) and by striking out the words beginning with the words "the amount"

Line 16, Page 3 (Line 35, Page 3 of printed bill), and ending with the word "collected" Lines 19 and 20, Page 3 (Line 38, Page 3 of the printed bill).

(2) That Section 1 Sub-Section 7 be amended by striking out in Lines 17 and 18 of Page 6 of the engrossed bill (Lines 108 and 109, Page 5 of printed bill), the words "County Treasurer who issued the original number" and inserting in lieu thereof "Registrar of Motor Vehicles."

(3) That Section 1 be amended by striking out all words beginning with the word "assign" in Line 8 on Page 4 of the engrossed bill (Line 53, Page 3 of printed bill), and ending with the words "such vehicle" Line 12 of Page 4 (Line 56, Page 3 of printed bill) and inserting in lieu thereof the following: "In the case of motor vehicles registered for the first time issue to the applicant a sticker upon a form to be prepared and furnished by Registrar of Motor Vehicles, reciting that license fees have been paid, such sticker to be used pending receipt of license plates as hereinafter provided."

(4) That Section 1 be amended by adding the following after the words "municipal purposes" Line 14, Page 4 of the engrossed bill (Line 58, Page 3 printed bill); "upon receipt of duplicate application the Registrar of Motor Vehicles shall assign such motor vehicle a distinctive number and mail to the applicant two number plates, which shall bear such distinctive number, together with the certificate of registration as provided in Section 1758 as amended."

(5) That Section 1 be amended by striking out the word "shipping" in Line 23, Page 4 of the engrossed bill (Line 65, Page 3 of printed bill) and inserting in lieu thereof the word "mailing."

(6) That Section 1 of the engrossed bill be amended by striking out in Lines 31 and 32 on Page 4 (Lines 71 and 72, Page 4 of printed bill) the following words: "the registration fees paid to the Registrar by the dealers of said county" and inserting in lieu thereof the following words "its pro rata share of any fees paid to the Registrar of Motor Vehicles."

(7) That Section 2 be amended by striking out all words beginning with the words "County Treasurer" in Line 29, Page 6 of the engrossed bill (Line 5, Page 5 of printed bill) and ending with the words "assigned by" in Line 31 Page 6 (Line 6, Page 5 of printed bill).

(8) That Section 2 of the engrossed bill be amended by striking out all words beginning with the word "on" Line 11, Page 7 (Line 15, Page 5 of printed bill) and ending with the word "plate" Line 27, Page 7 (Line 28, Page 6 of printed bill) inserting in lieu thereof the following: "The distinctive registration numbers shall begin with No. 1 and be numbered consecutively for each series of plates. The distinctive registration number assigned to the vehicle and the numeral or symbol number for the county in which the number plate is issued shall appear on the plate. The dimensions of such numerals and the manner of placing the same on said number plates shall be determined by the Registrar of Motor Vehicles."

(9) That Section 2 be amended by striking out all words beginning with the words "Number plates" Line 16, Page 8 of the engrossed bill (Line 44, Page 6 of printed bill) and ending with the words "Motor Vehicles" Line 20, Page 8 (Line 47, Page 6 of printed bill).

(10) That Section 3 be amended by inserting the following between the words "equalization" and "and" line 29 and 30, page 8 (Line 7 and 8, page 6 of printed bill) "and except motor vehicles theretofore assessed as provided herein and Section 1759 as amended by this Act" also by inserting between the words "also" and "assess" in line 2, page 9 of the engrossed bill (Line 13, page 7 of printed bill). The following "pursuant to the provisions of Section 1759 as amended by this Act"; also by striking out the words "not theretofore assessed under the provisions of Section 1759 as amended by this Act but"; in lines 3 and 4, page 9 of the engrossed bill and inserting in lieu thereof the following: "On January 1st of each year and all motor vehicles."

(11) That Section 3 be amended by striking out in line 18, page 10 of the engrossed bill (Line 33, page 8 of the printed bill) the words "November 30" and inserting in lieu thereof "other personal property taxes are collected."

(12) That a new Section to be designated Section 5 be inserted as follows: Section 5. That Section 4 of Chapter 158 of the Session Laws of 1931 be and the same is hereby amended to read as follows:

"Section 4. The Treasurer of any county shall not accept any application for registration or re-registration of any motor vehicle unless such application is accompanied by the registration receipt issued for the last year in which such vehicle was registered, except in cases of vehicles not previously registered in this State, and provided that such registration receipt will not be required when the applicant files with the County Treasurer a statement under oath that such vehicle was not driven or operated upon the highways of the state during the previous year."

(13) That Section 5 of the engrossed bill be re-numbered Section 6 and that the following be inserted between the words "that" and "all" in line 6, page 11 (Line 1, page 8 of printed bill): "Sections 1, 2 and 3 of Chapter 177 of the Session Laws of 1929 and Section 3 of Chapter 158 of the Session Laws of 1931 and".

(14) That Section 6 of the engrossed bill be re-numbered Section 7. An as so amended House Bill No. 73, be concurred in.

Respectfully,

J. F. CONE,
Secretary.

THIRD READING OF SENATE BILLS

Senate Bill No. 158, introduced by Committee on Irrigation and Water Rights, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Byrne, Campbell, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Shea, Pilgeram, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Abrahamson, Breitenstein, Chapman, Cusker, Doran, Freed, Groene (Fergus), Lewis, Manning, Miller (Lincoln), Moss, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Roll, Shannon, Sullivan, Waite, Watson (Meagher), Whaley. Total 23.

The Speaker: Seventy-eight have voted "aye", none have voted "no"; S. B. No. 158 has been concurred in by the House.

Senate Joint Resolution No. 3, introduced by Duncan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Cusker, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse,

Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Pierson, Pilgeram, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson, (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Chapman, Daugherty, Doran, Fowler, Groene (Fergus), Knowles, Larsen, Manning, Marshall, Moss, Parker (Flathead), Parker (Broadwater), Porter, Quamme, Shannon, Sullivan, Waite, Watson (Meagher). Total 18.

The Speaker: Eighty-three have voted "aye", none have voted "no"; S. J. R. No. 3 has been concurred in by the House.

Senate Joint Resolution No. 5, introduced by Committee on Federal Relations, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Green (Dawson), Haight, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, McDermott, McElwain, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Pierson, Ragen, Rearden (Cascade), Rognlien, Rolph, Snidow, Sparling, Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Missoula), White, Mr. Speaker. Total 58.

Noes: Balgord, Daugherty, Duffy, Goodwin, Grabow, Hagerty, Holecek, Knowles, Love, McCarvel, Marshall, Nass, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Porter, Quamme, Reardon (Deer Lodge) Replogle, Setzer, Somerville, Spangler, Strange, Whaley, Wigal, Woodcock. Total 27.

Absent and not voting: Doran, Fowler, Freed, Groene (Fergus), Larsen, Manning, Moss, O'Connell, Pilgeram, Ralston, Roll, Schuster, Shannon, Stephens (McCone), Sullivan, Watson (Meagher). Total 16.

The Speaker: Fifty-eight have voted "aye", 27 have voted "no"; S. J. R. No. 5 has been concured in by the House.

Senate Joint Memorial No. 13, introduced by MacGilvra, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Conner, Cusker, Doe, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Mulholland, Nelstead, Parker (Flathead), Pilgeram, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Missoula), White, Wigal, Mr. Speaker. Total 67.

Noes: Arnold, Byrne, Daugherty, Duffy, Grabow, Holecek, Miller (Big Horn), Miller (Lincoln), Nass, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Ragen, Rognlien, Rolph, Stephens (McCone), Strange, Whaley, Woodcock. Total 21.

Absent and not voting: Chapman, Doran, Ecton, Fowler, Groene (Fergus), Larsen, Metlen, Moss, Porter, Roll, Shannon, Sullivan, Watson (Meagher). Total 13.

The Speaker: Sixty-seven have voted "aye," 21 have voted "no"; S. J. M. No. 13 has been concurred in by the House.

Senate Bill No. 84, introduced by Campbell, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Conner, Cusker, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Goodwin, Grabow, Green (Dawson) Groene (Fergus), Haight, Harlen, Hilger, Jensen, Knowles, Kruse, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Ralston, Rearden (Cascade), Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Stevens (Wheatland) Strange, Trenne, Waite, Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 66.

Noes: Abrahamson, Balgord, Ballard, Blankenbaker, Chapman, Daugherty, Givens, Hagerty, Harrington, Holecek, Kuhl, Miller (Big Horn) Miller (Lincoln), Mulholland, O'Shea, Pilgeram, Porter, Quamme, Ragen, Reardon (Deer Lodge), Replogle, Rolph, Sparling, Stephens (McCone), Ueland, Whaley. Total 26.

Absent and not voting: Doran, Lott, Mason, Moss, Shannon, Sullivan, Watson (Meagher). Total 7.

The following passed their vote: Freudenstein, Stiefel. Total 2.

The Speaker: Sixty-six have voted "aye", 26 have voted "no"; S. B. No. 84 has been concurred in by the House.

Senate Bill No. 73, introduced by Campbell, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Hilger, Jensen, Kuhl, Larsen, Logan, Lott, McCarvel, Manning, Marshall, Mason, Nelstead, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Rognlien, Roll, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 70.

Noes: Daugherty, Holecek, Knowles, Kruse, Lewis, McElwain, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, O'Shea, Quamme, Reardon (Deer Lodge), Replogle, Rolph, Schuster, Setzer, Stevens (Wheatland), Strange, Trenne, Woodcock. Total 23.

Absent and not voting: Doran, Harlen, Love, McDermott, Moss, Shannon, Sullivan, Watson (Meagher). Total 8.

The Speaker: Seventy have voted "aye", 23 have voted "no"; S. B. No. 73 has been concurred in by the House.

Senate Bill No. 115, introduced by Simmons, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Byrne, Campbell, Chapman, Cusker, Doe, Duffy, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Larsen, Logan, McCarvel, McDermott, Manning, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, O'Connell, Parker (Flathead), Pierson, Pilgeram, Porter, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 65.

Noes: Anderson, Annin, Daugherty, Findlater, Green (Dawson), Hagerty, Knowles, Kruse, Kuhl, Lewis, Lott, McElwain, Miles, Nass, Nutting, O'Shea, Quamme, Reardon (Deer Lodge), Setzer, Sparling, Stephens (McCone), Trenne, Ueland. Total 23.

Absent and not voting: Breitenstein, Conner, Doran, Groene (Fergus), Love, Metlen, Moss, Parker (Broadwater), Ragen, Shannon, Sullivan, Waite, Watson (Missoula). Total 13.

The Speaker: Sixty-five have voted "aye", 23 have voted "no"; S. B. No. 115 has been concurred in by the House.

Senate Amendments to H. B. No. 85, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green, (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Reardon (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Spangler. Total 1.

Absent and not voting: Acher, Conner, Doran, Fowler, Freed, Groene (Fergus), Knowles, Moss, Pierson, Ragen, Shannon, Sparling, Sullivan, Waite. Total 14.

The Speaker: Eighty-six have voted "aye," 1 has voted "no"; Senate Amendments to House Bill No. 85, have been concurred in by the House.

Senate Amendments to House Bill No. 111, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Chapman, Cusker, Daugherty, Doe, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Miles, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Reardon (Deer Lodge), Rognlien, Schuster, Setzer, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 70.

Noes: Bjorneby, Campbell, Givens, Goodwin, Groene (Fergus), Harlen, Hilger, Knowles, Logan, Mason, Metlen, Miller (Big Horn), Porter, Quamme, Ralston, Reardon (Cascade), Roll, Somerville. Total 18.

Absent and not voting: Arnold, Conner, Doran, Ferry, Miller (Lincoln), Moss, Pierson, Replogle, Rolph, Shannon, Snidow, Sullivan, Waite. Total 13.

The Speaker: Seventy have voted "aye"; 18 have voted "no"; Senate Amendments to H. B. No. 111 have been concurred in by the House.

Senate Amendments to House Bill No. 62, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater,

Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Logan, Love, McCarvel, McDermott, McElwain, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Manning. Total 1.

Absent and not voting: Arnold, Conner, Doran, Knowles, Lewis, Lott, Mason, Metlen, Moss, Nass, Pierson, Roll, Shannon, Sullivan, Waite. Total 15.

The Speaker: Eighty-five have voted "aye", 1 has voted "no"; S. A. H. B. No. 62 have been concurred in by the House.

Senate Amendments to House Bill No. 126, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Cusker, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 77.

Noes: Annin, Daugherty, Knowles, Lewis, Nass, Quamme, Spangler, Stevens (Wheatland). Total 8.

Absent and not voting: Arnold, Breitenstein, Conner, Doran, Fowler, Freed, Kruse, Larsen, Love, Moss, O'Connell, Pierson, Sullivan, Waite, Woodcock. Total 15.

The following passed their vote: Shannon. Total 1.

The Speaker: Seventy-seven have voted "aye," 8 have voted "no"; S. A. H. B. No. 126 have been concurred in by the House.

Senate amendments to House Bill No. 66, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Campbell, Chapman, Daugherty, Doe, Duffy, Ferry, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 81.

Noes: Ecton, Stiefel. Total 2.

Absent and not voting: Arnold, Breitenstein, Conner, Cusker, Doran, Findlater, Fowler, Freed, Knowles, Miller (Big Horn), Moss, O'Connell, Rolph, Shannon, Sullivan, Waite, Whaley, Woodcock. Total 18.

The Speaker: Eighty-one have voted "aye," 2 have voted "no"; S. A. H. B. No. 66 have been concurred in by the House.

Senate amendments to House Bill No. 142, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haggerty, Haight, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Miles, Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Setzer, Snidow, Somerville, Spangler, Stevens (Wheatland), Stiefel, Strange, Trenne, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Balgord, Ballard, Chapman, Cusker, Doran, Fowler, Freed, Holecck, Knowles, Lewis, Manning, Metlen, Miller (Big Horn), Moss, Parker (Flathead), Ragen, Rolph, Schuster, Shannon, Sparling, Stephens (McCone), Sullivan, Ueland, Waite, Woodcock. Total 25.

The Speaker: Seventy-six have voted "aye," none have voted "no"; S. A. H. B. No. 142 have been concurred in by the House.

MOTIONS AND RESOLUTIONS

Ralston: Move that S. B. No. 82 be re-referred to Committee on Appropriations. Seconded. Carried.

Besancon: Move to amend the Rules of the House as follows:

Amendments to House Rules recommended by Committee on Rules:

RULE 7.

DUTIES OF COMMITTEE ON JOURNAL

The Committee on Journal shall examine each day the Journal of the proceedings of the House as prepared by the Clerk; shall make corrections therein when the same is in error; and shall report immediately after roll call every day that the House is in session, which report may be in lieu of the reading of the Journal.

All following rules from 7 to 26 shall be renumbered to agree with the addition of the above rule.

Rule 9 shall be numbered Rule 10 and be amended to read as follows:

DUTIES OF COMMITTEE ON EMPLOYMENT

It shall be the duty of the Committee on Employment to select and recommend for appointment or dismissal all House employees and when their report shall be adopted by the House, the selections recommended therein shall be final. They shall examine the various applicants as to their qualifications for the several positions to be filled.

RULE 18.

At the end of Rule 18 add the following:

"When the report of the Committee of the Whole on any bill is rejected, the bill shall remain on General Orders until disposed of by the House."

RULE 22.

Section 3. At the beginning of Section 3 of Rule 22 add the following:

"A majority of the House shall constitute a quorum to do business."

RULE 48 to be amended to read as follows:

"A roll call shall be taken upon the request of 15 members and the ayes and noes entered upon the Journal at the request of 2 members."

"This rule shall not be suspended."

(Sec. 12, Article 5 of the Constitution)

RULE 49 shall be amended to read as follows:

"Communications and petitions shall be addressed to the Speaker and shall be read by the Clerk and when introduced by a member shall bear the name of the member introducing same."

"No arguments for or against any proposed legislation unless properly signed by person or persons responsible for same, shall be placed upon the desks of the members or circulated in the chamber."

The Speaker: The motion is referred to Committee on Rules, Joint Rules and Order of Business.

Hagerty: Move the House reconsider its action on S. B. No. 111, of this morning. Carried.

Hon. Florence Facey, formerly a member, of Phillips County; Hon. O. W. Belden of Fergus County; Hon. Pat Kelly of Silver Bow County, and Hon. Walter Pope, of Missoula County, were escorted to the rostrum and presented to the House. Miss Genevieve Dellwo, daughter of the Speaker, was also introduced to the House.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following motion was this day adopted in the Senate:

"Whereas, the appropriation bills transmitted from the House to the Senate exceed the anticipated revenue by approximately \$325,039.00, I move that, in accordance with Joint Rule 25, the Chairman of the Committee on Appropriations of the House be requested to immediately call a joint meeting of the Committee on Appropriations of the House and the Committee on Finance and Claims of the Senate, to amend said appropriation bills to conform with the provisions of the Constitution of the State of Montana. Signed, Pauline."

Respectfully,

J. F. CONE,
Secretary.

Marshall: Move that action of the message from the Senate be deferred until after General Orders this afternoon. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 113, introduced by Holt by request, a Bill for an Act entitled: "An Act to amend Section 634, Re-

vised Codes of Montana, 1921, relating to the nomination of party candidates by direct vote," respectfully report and recommend as follows:

That Senate Bill No. 113 be concurred in.

CHAPMAN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 112, introduced by Holt by request, a Bill for an Act entitled: "An Act to amend Sections 567 and 568, of the Revised Codes of Montana of 1921, relating to the registration of electors, and to the printing and posting of lists of registered electors, and the preparation by the County Clerk of poll-books," respectfully report and recommend as follows: That Senate Bill No. 112 be concurred in.

CHAPMAN, Chairman."

On motion by Chapman, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 10, a Bill for an Act entitled: "An Act relating to price charged for any standard petroleum product within the State of Montana, providing for procedure in the determination of price under this Act, defining standard petroleum product to be a 'public utility,' defining what is included within the term 'standard petroleum product,' construction to be placed upon this Act, prescribing duties of County Attorney, providing penalties for the violation thereof, and repealing all Acts and parts of Acts in conflict herewith," respectfully report and recommend as follows: That Senate Bill No. 10 be amended as follows:

That Section 1 be amended by inserting after the word "Any" and before the word "corporation" (line 20, page 1, of the original bill; line 1 of Section 1 in the printed bill) the following words: "persons, firm, company, association or";

That the word "that" following the word "Montana" and before the word "shall" (line 21, page 1, of the original bill; line 1 of Section 1 in the printed bill) shall be stricken and the word "who" inserted in lieu thereof;

That after the word "such" and before the word "corporation" (line 23, page 1, of the original bill; line 3 of Section 1 in the printed bill) the following words shall be inserted: "person, firm, company, association or";

That after the word "or" and before the word "any" (line 25, page 1, of the original bill; line 5 of Section 1 in the printed bill) the word "in" shall be inserted;

That the words "its officers and" (line 27, page 1, of the original bill; line 6 of Section 1 in the printed bill) shall be stricken, and the following words inserted in lieu thereof: "any said person, firm, company, association or corporation and their officers or"

That after the word "any" and before the word "corporation" (line 3, page 2, of the original bill; line 11 of Section 1 in the printed bill) insert the words "person, firm, company, association or"

That after the word "product" and before the word "in" (line 4, page 2, of the original bill; line 12 of Section 1 in the printed bill) insert the words "of other persons or customers";

That after the word "or" and before the word "any" (line 5, page 2, of the original bill; lines 12 and 13 of Section 1 in the printed bill) insert the word "in";

That after the word "such" and before the word "corporation" (line 6, page 2, of the original bill; lines 13 and 14 of Section 1 of the printed bill) insert the following words: "person, firm, company, association or";

and strike out the word "its" following the aforementioned word "corporation" and insert the word "their" in lieu thereof; and after the following word "officers" strike out the next word "and" and insert the word "or" in lieu thereof;

That Section 4 be amended by inserting after the word "compel" and before the word "corporations" (line 15, page 2, of the original bill; line 1 of Section 4, page 2, of the printed bill) the following words: "persons, firms, companies, associations or";

That after the word "of" and before the word "customers" (line 17, page 2, of the original bill; line 2 of Section 4 in the printed bill) strike out the word "its" and insert the word "their" in lieu thereof;

That after the word "of" and before the word "customers" (line 18, page 2, of the original bill; line 3 of Section 4 in the printed bill) strike out the word "its" and insert the word "their" in lieu thereof;

That after the word "states" and before the word "and" (line 19, page 2, of the original bill; lines 3 and 4 of Section 4 in the printed bill) insert the words: "and to promote the uniform application of the law of the State of Montana providing a license tax on all gasoline used by motor vehicles when traveling over the public highways";

That after the word "any" and before the word "shall" in Section 5 (line 23, page 2, of the original bill; line 2 of Section 5 of the printed bill) strike the word "corporation" and insert in lieu thereof the following: "person, firm, company, association or corporation, their officers or agents";

That after the word "such" and before the word "in" (lines 27 and 28, page 2, of the original bill; line 5 of Section 5 in the printed bill) strike out the word "corporation" and insert in lieu thereof the following: "person, firm, company, association or corporation, their officers or agents";

That after the word "or" and before the word "any" (line 28, page 2, of the original bill; line 6 of Section 5 in the printed bill) insert the word "in";

That Section 6 be amended by striking out the words "corporation or person" following the word "Any" (line 32, page 2, of the original bill; line 1 of Section 6 in the printed bill) and inserting the following in lieu thereof: "person, firm, company, association or corporation, their officers or agents,"

That Section 7 be amended by inserting after the word "such" and before the word "corporation" (line 5, page 3, of the original bill; line 1 of Section 7 in the printed bill) the following words: "person, firm, company, association and";

And that when so amended the bill be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Petroleum, Oil and Gas, having had under consideration Senate Bill No. 116, a Bill for an Act entitled: "An Act to amend Chapter 109 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, relating to the regulation and sale of fuel oil and other petroleum products, by adding after Section 7, thereof, a new section to be known as Section 7-B, providing grades and specifications for domestic and industrial fuel oils kept, offered or exposed for sale in the State of Montana for heating and industrial purposes," respectfully report and recommend as follows: That Senate Bill No. 116 be amended to read as follows:

Strike out all of the subject matter beginning with line 21 of page 1 to line 26 on page 2, and insert in lieu thereof the following:

"Domestic fuel oil, grade 1, shall be light distillate for use in burners, and shall have a flash point not lower than 150° F., measured by the "Tag Open Cup Method." When ten per centum has been recovered in the receiver the thermometer shall not read more than 420° F., and the end point shall not be higher than 600° F. Water and sediment shall not exceed .05%.

The pour point shall be 0° F.

Domestic fuel oil, grade 2, shall be a medium distillate oil for use in burners, and shall have a flash point not lower than 150° F., nor more than 200° F., measured by the "Tag Open Cup Method." When ten per centum has been recovered in the receiver the thermometer shall not read more than 460° F., and when ninety per centum has been recovered in the receiver the thermometer shall not read more than 620° F. Water and sediment shall not exceed .05%.

The pour point shall be 0° F.

Domestic fuel oil, grade 3, shall be a heavy distillate fuel oil, and shall have a flash point not lower than 150° F., nor higher than 225° F., measured by the "Tag Open Cup Method." When ten per centum has been recovered in the receiver the premium shall not read more than 460° F., and when ninety per centum has been recovered in the receiver the thermometer shall not read more than 675° F.

The viscosity shall not be greater than 55 seconds at 100° F., using method 30.41 in United States Fuel Mines Technical Paper 323-B.

Water and sediment shall not exceed .01%.

Pour point shall be 0° F.

Fuel oil, grade 4, shall be a fuel oil for domestic heating or industrial purposes, and shall have a flash point not lower than 150° F., measured by the "Tag Open Cup Method."

The viscosity shall not be greater than 125 seconds at Saybolt 100° F., using method 30.41 in United States Bureau of Mines Technical Paper 323-B."

And that Senate Bill No. 116 as amended be concurred in.

WOODCOCK, Chairman."

On motion by Woodcock, report adopted.

"Mr. Speaker: We, your Employment Committee by request of the House of Representatives of this session, do hereby submit the following list of employees to be dismissed from service this day, February 25, 1933:

Margaret Chenoweth, Esther LaHood, Ann Crimmins, Katherine Shagina, Ruth Morrison, Lucille D'Amico, Cleve Marks, Francis McEwan, Hugh Carroll, T. J. Harrington, John Healy, Ruth Schlenske, Thomas J. Boyle, W. N. Trudeau, Dan J. Sullivan, Walter Dumas, Margaret McDonald, William Dwyer, Joseph Burden, Alberta Barton, Lilah Smith, Hazel VanLandingham, Gertrude Frey, Eva Kraft, Mrs. A. M. McLaskey, Gerald Alquist, Maude Houghlan, J. O. Feragen, Edna Gillies, Mortimer Brien, Gerald Stack, J. M. Bresnahan, Robert Maxon, F. V. Milner, John Morris, Mike Foley, Vernon Clinch, Cecil Chrissinger.

A. T. PORTER, Chairman."

On motion by Waite, report adopted.

GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole under the rules of the previous sittings, for the Consideration of General Orders. Seconded. Carried.

Pilgeram of Cascade in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 199, 184, 203, 188, Sub. S. B. No. 193 Senate Bills Nos. 179, 117, 64, 156, 142, 118, 187, 200, 161, 166, 100, 127 175, 156, Senate Amendments to House Bill No. 283, 182, 250, 197, 73 194, 77, respectfully report and recommend as follows:

That Senate Bill No. 199 be concurred in;
 That Senate Bill No. 184 be concurred in.
 That Senate Bill No. 203 be passed for the day.
 That Senate Bill No. 188 be concurred in.
 That Sub. S. B. No. 193 be concurred in.
 That S. B. No. 179 be passed for the day.
 That S. B. No. 117 be concurred in.
 That S. B. No. 64 be concurred in.
 That S. B. No. 156 be passed temporarily.
 That S. B. No. 142 be concurred in.
 That S. B. No. 118 be concurred in.
 That S. B. No. 187 be concurred in.
 That S. B. No. 200 be concurred in.
 That S. B. No. 161 be concurred in.
 That S. B. No. 166 be concurred in.
 That S. B. No. 100 be concurred in.
 That S. B. No. 127 be passed for the day.
 That S. B. No. 175 be concurred in.
 That S. B. No. 156 be not concurred in.
 That Senate Amendments to H. B. No. 283 be passed for the day.
 That Senate Amendments to House Bill No. 182 be concurred in.
 That Senate Amendments to House Bill No. 250 be concurred in.
 That Senate Amendments to House Bill No. 197 be concurred in.
 and That Senate Amendments to House Bill No. 73 be not concurred in
 and that a conference committee be requested.
 That Senate Amendments to House Bill No. 194 be concurred in.
 That Senate Amendments to House Bill No. 77 be concurred in.

PILGERAM, Chairman."

On motion by Pilgeram report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 143, 188, 179, 146, 150, 152, 215, 13, 101, 32, 94 214, 68, 89, 291, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:10 o'clock p. m., delivered to the Governor for his approval.

L. E. LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 26, introduced by Rowland A Bill for an Act Entitled: "An Act relating to the floating indebtedness of counties outstanding at the close of the fiscal year ending June 30 1933, and providing for the issuance of bonds to fund indebtedness of the levying of special taxes to pay such floating indebtedness."

Respectfully report and recommend as follows: That Senate Bill No 26 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 68, introduced by Rowland A Bill for an Act Entitled: "An Act to amend Section 2410, of the Revised

Codes of Montana of 1921, relating to the preparing and printing of licenses by the County Clerk and the furnishing of the same to the County Treasurer, and repealing Sections 2411, and 2412, of the Revised Codes of Montana of 1921, relating thereto."

Respectfully report and recommend as follows: That Senate Bill No. 68 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 126, introduced by Ekegren, Kilduff, and Thien. A Bill for an Act Entitled: "An Act providing for the sale, leasing, exchanging, and for quieting title to lands acquired by any county by tax deed."

Respectfully report and recommend as follows: That Senate Bill No. 126 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration, Senate Bill No. 75, introduced by Husband, Kelsey and Burr. A Bill for an Act Entitled: "An Act to amend Sections 2, 12, 13, 17, 19 and 20, of Chapter 109, of the Session Laws of the 22nd Legislative Assembly of Montana, and the enactment of an additional section thereto, to be known as Section 24 of said Act, the same being an Act providing for the adoption of the managerial form of county government."

Respectfully report and recommend as follows: That Senate Bill No. 75 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 128, introduced by Angvick and Holt. A Bill for an Act Entitled: "An Act to create a County Land Advisory Board in each county and defining the powers and duties of such Boards."

Respectfully report and recommend as follows: That Senate Bill No. 128 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 201, introduced by MacGillvra. A Bill for an Act Entitled: "An Act to amend Sub-Section 8 of Section 4465 of the Revised Codes of the State of Montana of 1921, as amended by Chapter 100 of the Session Laws of the Twenty-second Legislative Assembly of 1931, relating to certain duties of the Board of County Commissioners."

Respectfully report and recommend as follows: That Senate Bill No. 201 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 160, introduced by Carroll. A Bill for an Act Entitled: "An Act to amend Sections 3 and 4, of Chapter 188, of the Session Laws of 1931, relating to limitation of county indebtedness and terms of bonds and rates of interest."

Respectfully report and recommend as follows: That Senate Bill No 160 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 165, introduced by Kelsey A Bill for an Act Entitled: "An Act to amend Section 2114, Revised Codes of Montana, 1921, as amended by Chapter 43 of the Session Laws of the Twentieth Legislative Assembly of the State of Montana, and Sections 2115 and 2116, Revised Codes of Montana, 1921, and the enactment of an additional section, permitting County Boards of Equalization to change the classification or value of property in their counties and prohibiting the State Board of Equalization from raising generally the values of any class of property in a county, without a general hearing in said county."

Respectfully report and recommend as follows: That Senate Bill No 165 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

The Speaker: At this time I will appoint Nutting of Yellowstone Porter of Ravalli and Pierson of Yellowstone as a Conference Committee to meet with a like Committee from the Senate on House Amendments to Senate Bill No. 110.

Harrington: Move the House now reconsider its action on the report of the Committee on Employment. Seconded. Defeated.

Besancon: Move the House now adjourn until 1:00 o'clock tomorrow afternoon. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-SIXTH DAY

House of Representatives,
Helena, Montana, February 26, 1933.

House convened, pursuant to adjournment, at 1:00 o'clock p. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Doran and Nelstead, excused: Cusker, Duffy, Shannon and Sullivan.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 207, 183, 118, 148, 84, 222 and 201.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties having had under consideration Senate Bill No. 124, introduced by Reed A Bill for an Act Entitled: "An Act to amend Sections 2156, 2157, 2158 and 2160, of the Revised Codes of the State of Montana of 1921; and Section 2159 of the Revised Codes of the State of Montana of 1921, as amend

ed by Chapter 86, of the Session Laws of the Twenty-first Legislative Assembly of 1929; and Section 2161 of the Revised Codes of the State of Montana of 1921, as amended by Section 9, of Chapter 96, of the Eighteenth Legislative Assembly of 1923, relating to the duties of the County Clerk in relation to taxes, and providing that said duties shall be performed by the County Assessor." Respectfully report and recommend as follows:

That S. B. No. 124 be not concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration:

All of the rules, joint rules and order of business heretofore adopted and before us during this session and as the same have been amended from time to time during this Session hereby, respectfully report as follows:

The Rules of the House heretofore adopted and as amended during this Session and likewise the Joint Rules and Order of Business heretofore adopted during this Session be in all things adopted by the House as the Rules, Joint Rules and Order of Business of this the Twenty-third Legislative Assembly, and that the same be published in book form to the extent of 500 copies; and that one copy thereof be delivered to each member of the House and Senate and also one copy to each of the officers and attaches of the House and Senate; and that the Committee be authorized to revise the text of the rules where the language is ambiguous or uncertain.

BESANCON, Chairman."

Besancon: Move the adoption of the report. Seconded.

Love: Move the report be deferred until the Sixtieth Day, Seconded. Defeated.

Beadle: Move that Rule 48 be amended to read 10 instead of 14. Seconded. Carried.

Move the report as amended be adopted. Seconded. Carried.

The report as adopted contained the following amendments:

Amendments to House Rules recommended by Committee on Rules:
Rule 7. Duties of Committee on Journal.

The Committee on Journal shall examine each day, the Journal of the proceedings of the House as prepared by the Clerk; shall make corrections therein when the same is in error; and shall report immediately after roll call every day that the House is in Session, which report may be in lieu of the reading of the Journal.

All following rules from 7 to 25 shall be renumbered to agree with the addition of the above rule.

Rule 9 shall be numbered Rule 10 and be amended to read as follows:

DUTIES OF COMMITTEE ON EMPLOYMENT

It shall be the duty of the Committee on Employment to select and recommend for appointment or dismissal all House employees and when their report shall be adopted by the House, the selections recommended therein shall be final. They shall examine the various applicants as to their qualifications for the several positions to be filled.

Rule 18. At the end of Rule 18 add the following: "When the report of the Committee of the Whole on any bill is rejected, the bill shall remain on General Orders until disposed of by the House."

Rule 22. Section 4. At the beginning of Section 3 of Rule 22 add the following: "A majority of the House shall constitute a quorum to do business."

Rule 48 be amended to read as follows: "A roll call shall be taken upon the request of ten members and the "ayes" and "noes" entered upon the Journal at the request of two members."

"This rule shall not be suspended."

Section 12, Article 5 of the Constitution.

Rule 49 shall be amended to read as follows: "Communications and petitions shall be addressed to the Speaker and shall be read by the Clerk and when introduced by a member shall bear the name of the member introducing same. No arguments for or against any proposed legislation unless properly signed by person or persons responsible for same, shall be placed upon the desks of the members, or circulated in the Chamber."

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in House amendments to Senate Bill No. 44.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move that further communications from the Senate be considered read at length, and that the Journal so show. Seconded
Carried.

Helena, February 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 57, by Holecek, was this day recommended for non-concurrence by the Senate Committee of the Whole, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day killed by adverse Committee reports, reports adopted, and bills are herewith returned to the House.

- H. B. No. 5, by Marshall.
- H. B. No. 49, by Committee on Agriculture.
- H. B. No. 75, by Ecton.
- H. B. No. 99, by McDermott.
- H. B. No. 138, by Doe.
- H. B. No. 162 by Anderson and Setzer.
- H. B. No. 163, by Beadle.
- H. B. No. 223, by Judiciary Committee.
- H. B. No. 231, by Metlen.
- H. B. No. 262, by Grabow.
- H. B. No. 284, by Committee on Education.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That S. B. No. 151 do pass.

That S. B. No. 30 do pass.

That H. B. No. 241 be concurred in.

That H. B. No. 221 be concurred in.

That Sub. H. B. No. 127 be concurred in.

That H. B. No. 269 be concurred in.

That H. B. No. 248 be amended in Section 1 by striking out in Lines 11 and 12 the words, "Insurance Department in State Auditor's Office"; and as so amended, recommend said bill be concurred in.

That H. B. No. 31 be concurred in.

That H. B. No. 57 be not concurred in.

That consideration of H. B. No. 329 be passed.

That H. B. No. 97 be concurred in.

That H. B. No. 186 be concurred in.

That H. B. No. 23, be concurred in.

That H. B. No. 135 be concurred in.

That H. B. No. 122 be concurred in.

That H. B. No. 326 be concurred in.

That H. B. No. 120 be concurred in.

That H. B. No. 226 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 23, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Minority of Committee on Taxation: That H. B. No. 49 be not concurred in, report adopted.

Committee on Irrigation and Water Rights: That H. J. M. No. 6 be concurred in, report adopted.

Committee on Finance and Claims: That H. B. No. 83 be amended by striking out in Section 1, line 34, printed bill, the words and figures, "Twelve Thousand Six Hundred Sixty-six Dollars (\$12,666.00)", and inserting in lieu thereof the words and figures, "Twenty Thousand Dollars (\$20,000.00)", and by striking out in Section 2, line 126, printed bill, the words and figures, "Twelve Thousand Six Hundred Sixty-six Dollars (\$12,666.00)," and inserting in lieu thereof the words and figures "Twenty Thousand Dollars (\$20,000.00)"; and as so amended, recommend said bill be concurred in, report adopted.

Committee on Finance and Claims: That H. B. No. 164 be amended by inserting after the word, "treasury," in line 2 of Section 2 of the printed bill, the words "in the General Fund," and as so amended, recommend said bill be concurred in, report adopted.

Committee on Counties and Towns: That H. B. No. 138 be not concurred in, report adopted.

Committee on Counties and Towns: That H. B. No. 254 be concurred in. Report adopted.

Committee on Counties and Towns: That H. B. No. 261 be amended on line 28, original bill, being line 15, printed bill, by inserting the following after the word, "shall": "Upon being petitioned by five per cent, of the qualified electors who must be taxpaying freeholders, as shown by the last assessment for taxable purposes." Also amend on line 28, original bill, and on line 15, printed bill, after the word, "election," the following words: "or at any special election called for that purpose." Also amend on line 29, original bill, line 15, printed bill, by inserting the following after the word, "vote"; to the qualified electors who must be taxpaying freeholders." Also amend by inserting after the period following the word "state" on line 25, original bill, being line 12, printed bill, the following:

"It is further provided that when a public or main sewer also serves as district sewer, the City Council may assess property bordering or abutting upon such public sewer, either at the time of its construction or at an future time, for an amount equal to the estimated cost of such district sewer capable of accommodating such property." Further amend by striking out all of Section 3. And as so amended, recommend said bill be concurred in, report adopted.

Committee on Counties and Towns: That H. B. No. 304 be concurred in, report adopted.

Committee on Counties and Towns: That H. B. No. 310 be concurred in, report adopted.

Committee on Public Morals: That H. B. No. 163 be not concurred in, report adopted.

Committee on Public Morals: That H. B. No. 262 be not concurred in, report adopted.

Committee on Public Morals: That H. B. No. 335 be concurred in, report adopted.

Committee on Roads and Highways: That H. B. No. 78 be concurred in, report adopted.

Committee on Roads and Highways: That H. B. No. 99 be not concurred in, report adopted.

Committee on Roads and Highways: That Sub. H. B. No. 237 be amended in Section 1, line 7, by striking the words, "a fee of Twenty-five Dollars (\$25.00)," and inserting in lieu thereof, "a minimum fee of Thirty Dollars (\$30.00)."

Amend in Line 9 by striking the words, "above six" "(6)", and inserting in lieu thereof, "up to six (6) sets, and Two Dollars (\$2.00), additional fee for each additional set of number plates".

Amend by adding a new paragraph after line 15, printed bill, to read as follows: "trucks not over one (1) ton capacity, Ten Dollars (\$10.00)."

Amend in line 16, printed bill, by striking the words, "five dollar (\$5.00)" and inserting in lieu thereof the words, "sixteen dollars (\$16.00)."

Amend in line 19, printed bill, by striking the words, "sixty dollar (\$60.00)," and inserting in lieu thereof the words, "thirty-seven dollar and fifty cents (\$37.50)."

Amend in line 20, printed bill, by striking the words, "one hundred dollars (\$100.00)," and inserting in lieu thereof the words, "sixty dollar (\$60.00)."

Amend in line 21 by striking the words, "three hundred dollar (\$300.00)," and inserting in lieu thereof the words, "two hundred dollar (\$200.00)."

Amend in Sub-section A of Section 1, in lines 36 and 37, printed bill by striking the words, "or first-class city situated in county, such county having less than four hundred (400) miles of county highway, exclusive of federal or state maintained highways."

Amend in Sub-section B of Section 1, in lines 43 and 44, printed bill by striking out the following: "or first-class city situated in county having less than four hundred (400) miles of county maintained roads"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Roads and Highways: That H. B. No. 314 be concurred in. Report adopted.

Committee on Insurance: That H. B. No. 319 be amended in Section 1, lines 6 and 7, printed bill, by striking out the words, "State Auditor," and inserting in lieu thereof the words "Commissioner of Insurance"; in Section 1, line 11, printed bill, by striking out the words, "State Auditor," as used in both instances, and inserting in lieu thereof the words, "Commissioner of Insurance."

Amend in Section 1, line 37, printed bill, by inserting the following, following the word, "thereof": "Any information, document, record, statement or thing required to be made or disclosed to the Commissioner of Insurance by this Act, shall be privileged and shall not be used as evidence in any action or proceeding instituted against the company or any representative thereof by or in behalf of any person who has been licensed under the provisions of this Act"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Banks and Banking: That H. B. No. 173 be concurred in. Report adopted.

Committee on Sanitary Affairs: That H. B. No. 234 be amended by inserting after the word, "the," in line 3, printed bill, the word "state."

Amend beginning in line 7 of the printed bill, by striking all of subdivision "b" and substituting in lieu thereof, "a system of ventilation which shall in the judgment of said State Board of Health be adequate to produce satisfactory conditions of air in the school room at all times and under all conditions"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Education: That H. B. No. 88 be concurred in. Report adopted.

Committee on Education: That H. B. No. 278 be amended in Section 3, printed bill, by striking out all of lines 15, 16, 17 and 18.

Amend in Section 11, printed bill, by striking out the words, "provided that in any county," in line 4, and inserting in lieu thereof the words, "except in counties"; in line 9 by striking out the comma after the word, "county," and inserting a period in lieu thereof; in line 9 by striking out the words, "the levy may be fixed at such," and inserting in lieu thereof the words, "In such counties the levy shall not exceed a rate which"; in line 13 by striking out the period after the word, "county," and adding after such word the following: "but in no case shall the maximum levy exceed ten mills."

Amend in Section 13, printed bill, by striking out in lines 7a and 8, the words, "County Commissioners," and inserting in lieu thereof the words, "Budget Supervisors"; in lines 11 and 12 by striking out the words, "County Commissioners" and inserting in lieu thereof the words, "Budget Supervisors"; in line 13 by striking out the words, "County Commissioners on the 4th Monday in July," and inserting in lieu thereof the words, "Budget Supervisors on the first Monday in August"; in lines 14 and 15 by striking out the words, "County Commissioners," and inserting in lieu thereof the words, "Budget Supervisors"; in lines 17 and 18 by striking out the words, "Budget Board," and inserting in lieu thereof the words, "Board of Review"; in line 18 by striking out the words, "Budget Board," and inserting in lieu thereof the words, "Board of Review"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Education: That H. B. No. 282 be amended in Section 1, lines 12 and 13, by striking out the words, "elementary and high," and after the sentence ending with "year," in line 29, adding the sentence: "The Board of County Commissioners shall thereupon levy a special tax for such purposes, not exceeding ten mills per dollar on the taxable property of the district, such tax to be computed on the same percentages as taxes for other purposes are computed, and to be levied and collected at the same time and in the same manner as other taxes are levied and collected for county and school purposes"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Education: That H. B. No. 284 be not concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 5 be not concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 75 be not concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 93 be concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 158 be not concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 162 be not concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 181 be concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 184 be concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 198 be concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 199 be concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 223 be not concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 231 be not concurred in. Report adopted.

Committee on Military Affairs: That H. J. M. No. 5 be concurred in. Report adopted.

Committee on Military Affairs: That H. J. R. No. 5 be concurred in. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

THIRD READING OF SENATE BILLS

Senate Bill No. 199, introduced by Simmons, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Arnold, Balgord, Ballard, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Logan, Lott, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Rolph, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 71.

Noes: Beadle, Kruse, Lewis, Love, Manning, Miller (Big Horn), Nass, Stevens (Wheatland). Total 8.

Absent and not voting: Acher, Annin, Bjerneby, Cusker, Doran, Duffy, Givens, Green (Dawson), Knowles, Larsen, Moss, Nelstead, O'Connell, Ralston, Reardon (Deer Lodge), Roll, Schuster, Shannon, Spangler, Sullivan, Watson (Meagher), Whaley. Total 22.

The Speaker: Seventy-one have voted "aye," 8 have voted "no"; S. B. No. 199 has been concurred in by the House.

Senate Bill No. 184, introduced by Simmons, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Kruse, Kuhl,

Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Mulholland, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Annin, Hilger, Setzer. Total 3.

Absent and not voting: Acher, Cusker, Doran, Duffy, Givens, Knowles, Larsen, Miller (Lincoln), Moss, Nass, Nelstead, Shannon, Sullivan. Total 13.

The Speaker: Eighty-five have voted "aye," 3 have voted "no"; S. B. No. 184 has been concurred in by the House.

Senate Bill No. 188, introduced by Kalberg, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen Harrington, Hilger, Holecek, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Jensen. Total 1.

Absent and not voting: Acher, Cusker, Doran, Duffy, Fowler, Givens, Groene (Fergus), Knowles, Larsen, Metlen, Moss, Nelstead, Reardon (Deer Lodge), Shannon, Sullivan. Total 15.

The Speaker: Eighty-five have voted "aye," 1 has voted "no"; S. B. No. 188 has been concurred in by the House.

Sub-Senate Bill No. 193, introduced by Committee on State Boards and Officers, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harlen, Harrington, Hilger, Holecek, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Acher, Besancon, Cusker, Doran, Duffy, Fowler, Groene (Fergus), Haight, Jensen, Knowles, Larsen, Moss, Nelstead, Reardon (Deer Lodge), Shannon, Sullivan. Total 16.

The Speaker: Eighty-five have voted "aye," none have voted "no"; Sub. S. B. No. 193 has been concurred in by the House.

Senate Bill No. 117, introduced by Larson, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Annin, Beadle, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Ecton, Ferry, Findlater, Fitzstephen, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harlen, Harrington, Jensen, Kruse, Logan, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nass, O'Connell, Parker (Flathead), Pierson, Pilgeram, Porter, Quamm, Rearden (Cascade), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 63.

Noes: Abrahamson, Balgord, Cusker, Doe, Daugherty, Hilger, Holecek, Lewis, Lott, Manning, Miller (Big Horn), Nutting, O'Shea, Parker (Broadwater), Ragen, Replogle, Stephens (McCone), Stevens (Wheatland), Strange. Total 19.

Absent and not voting: Acher, Arnold, Ballard, Besancon, Cusker, Doran, Duffy, Fowler, Groene (Fergus), Haight, Knowles, Larsen, Moss, Nelstead, Ralston, Reardon (Deer Lodge), Shannon, Sullivan, Whaley. Total 19.

The Speaker: Sixty-three have voted "aye," 19 have voted "no"; S. B. No. 117 has been concurred in by the House.

Senate Bill No. 64, introduced by Larsen and Willis, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 82.

Noes: Roll. Total 1.

Absent and not voting: Acher, Besancon, Cusker, Doran, Duffy, Freed, Groene (Fergus), Haight, Knowles, Kruse, Moss, Nelstead, Ralston, Reardon (Deer Lodge), Shannon, Sparling, Sullivan, Whaley. Total 18.

The Speaker: Eighty-two have voted "aye," 1 has voted "no"; S. B. No. 64 has been concurred in by the House.

Senate Bill No. 142, introduced by Kemmis, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Balgord, Ballard, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Ecton, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harrington, Holecek, Jensen, Larsen, Lewis, Logan, Lott, Love, Manning, Mason, Metlen, Miller (Lincoln), Nass, Nutting, Parker (Broadwater), Pierson, Porter, Rognlien, Setzer, Spangler, Stephens (McCone), Stiefel, Ueland, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 50.

Noes: Acher, Anderson, Annin, Arnold, Beadle, Conner, Ferry, Freed, Freudenstein, Harlen, Hilger, Kuhl, McCarvel, McDermott, McElwain, Marshall, Miles, Miller (Big Horn), Mulholland, O'Connell, O'Shea, Parker Flathead), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Repogle, Roll, Rolph, Schuster, Snidow, Somerville, Sparling, Stevens (Wheatland), Strange, Trenne, Waite. Total 38.

Absent and not voting: Cusker, Doran, Duffy, Groene (Fergus), Haight, Knowles, Kruse, Moss, Nelstead, Reardon (Deer Lodge), Shannon, Sullivan. Total 13.

The Speaker: Fifty have voted "aye," 38 have voted "no"; S. B. No. 42 has been concurred in by the House.

Senate Bill No. 118, introduced by MacGilvra, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green Dawson), Hagerty, Harlen, Kruse, Kuhl, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Repogle, Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 77.

Noes: Hilger, O'Connell, O'Shea, Ragen. Total 4.

Absent and not voting: Cusker, Doran, Duffy, Groene (Fergus), Haight, Knowles, Harrington, Holecek, Jensen, Larsen, Lewis, Logan, Moss, Nelstead, Roll, Shannon, Stevens (Wheatland), Sullivan, Whaley, Porter. Total 20.

The Speaker: Seventy-seven have voted "aye," 4 have voted "no"; Senate Bill No. 118 has been concurred in by the House.

Senate Bill No. 187, introduced by Committee on Fish and Game, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Lincoln), Mulholland, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Repogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Spangler, Stevens (Wheatland), Stiefel, Strange, Trenne, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: Beadle, Doe, Hilger, Holecek, Miles, Miller (Big Horn), Nass, Ralston, Roll, Somerville, Sparling, Stephens (McCone), Ueland, Waite. Total 14.

Absent and not voting: Cusker, Doran, Duffy, Haight, Knowles, Love, Moss, Nelstead, Rolph, Sullivan, Whaley. Total 11.

The Speaker: Seventy-six have voted "aye," 14 have voted "no"; Senate Bill No. 187 has been concurred in by the House.

Senate Bill No. 200, introduced by MacGilvra, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Greer (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecsek, Jensen, Kruse, Kuhl, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parke (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 86.

Noes: Doe, Lewis, Ralston. Total 3.

Absent and not voting: Cusker, Doran, Duffy, Haight, Knowles, Larsen, Marshall, Moss, Nelstead, Reardon (Cascade), Sullivan, Whaley. Total 12.

The Speaker: Eighty-six have voted "aye," 3 have voted "no"; Senate Bill No. 200 has been concurred in by the House.

The Speaker gave notice that he was about to sign House Bill No. 207 and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 201, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 183, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 118, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 148, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 84, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 222, and thereupon signed the same in the presence of the House.

MOTIONS AND RESOLUTIONS

"Mr. Speaker: We, your Committee on Ways and Means, ask for unanimous consent to introduce a bill, a Bill for an Act entitled: "An Act amending Section 2 of Chapter 10, Laws of the Twenty-third Legislative Assembly of Montana, the same being House Bill No. 22, relating to the issuance of bonds of the State of Montana to fund indebtedness of said state evidenced by general fund warrants, and providing for the payment thereof."

ABRAHAMSON, Chairman."

Pilgeram: Move the rules be suspended, to permit the introduction of a bill by the Committee on Ways and Means.

The motion was seconded, and was carried by more than a two-thirds vote.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was this day introduced, without previous notice on suspension of rules, read first and second times, and referred to committee:

House Bill No. 342, introduced by Committee on Ways and Means, a bill for an Act entitled: "An Act amending Section 2 of Chapter 10, Laws of the Twenty-third Legislative Assembly of the State of Montana, the same being House Bill No. 22, relating to the issuance of bonds of the State of Montana to fund indebtedness of said state evidenced by general bonds and warrants, and providing for the payment thereof." Committee on Ways and Means.

THIRD READING OF SENATE BILLS

Senate Bill No. 161, introduced by Kane, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Ballard, Baggord, Bjorneby, Blankenbaker, Breitenstein, Campbell, Conner, Daugherty, Doe, Ecton, Fitzstephens, Fowler, Givens, Green (Dawson), Haight, Harlen, Hilger, Holecek, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, Manning, Metlen, Miller (Big Horn), Miller (Lincoln), Nass, Nutting, O'Shea, Parker (Flathead), Pierson, Ragen, Rearden (Cascade), Rognlien, Rolph, Snidow, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher). Total 49.

Noes: Abrahamson, Arnold, Beadle, Besancon, Byrne, Chapman, Cusker, Ferry, Findlater, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Kruse, Logan, McDermott, McElwain, Marshall, Mason, Miles, Mulholland, O'Connell, Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Roll, Schuster, Setzer, Shannon, Somerville, Sparling, Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 41.

Absent and not voting: Doran, Duffy, Freed, Jensen, Knowles, Moss, Nelstead, Parker (Broadwater), Sullivan, Waite, Whaley. Total 11.

The Speaker: Forty-nine have voted "aye", 41 have voted "no"; Senate Bill No. 161 has been concurred in by the House.

Senate Bill No. 166, introduced by Husband, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Baggord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Lewis, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Doran, Duffy, Freed, Knowles, Kruse, Larsen, Logan, Love, Metlen, Moss, Nelstead, Ralston, Shannon, Sullivan, Watson (Meagher), Whaley. Total 16.

The Speaker: Eighty-five have voted "aye", none have voted "no"; S. B. No. 166 has been concurred in by the House.

The Speaker appointed the following Conference Committees:

On Senate Amendments to House Bill No. 34:

Holecek of Fergus, McElwain of Powell, Lott of Madison.

On Senate Amendments to House Bill No. 165:

Spangler of Mineral, Replogle of Fergus, Watson of Meagher.

On the Garber Resolution:

Freed of Petroleum, Rolph of Liberty, Marshall of Missoula.

The Speaker called the Speaker Pro Tem to the Chair.

THIRD READING OF SENATE BILLS

Senate Bill No. 100, introduced by Corwin, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes, Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Beadle, Breitenstein, Byrne, Chapman, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Jensen, Kruse, Kuhl, Logan, McCarvel, McElwain, Mason, Miller (Lincoln), Mulholland, Nass, Nutting, Parker (Broadwater), Pierson, Pilgeram, Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Watson (Missoula). Total 55.

Noes: Balgord, Besancon, Bjorneby, Blankenbaker, Campbell, Conner, Cusker, Hilger, Holecek, Lewis, Lott, Marshall, Miles, Miller (Big Horn), Quamme, Ragen, Rearden (Cascade), Rolph, Trenne, Wigal, Woodcock. Total 21.

Absent and not voting: Doran, Duffy, Freed, Groene (Fergus), Knowles, Larsen, Love, McDermott, Manning, Metlen, Moss, Nelstead, O'Connell, O'Shea, Parker (Flathead), Porter, Ralston, Reardon (Deer Lodge), Shannon, Sullivan, Waite, Watson (Meagher), Whaley, Mr. Speaker. Total 24.

The following "passed": White. Total 1.

The Speaker: Fifty-five have voted "aye", 21 have voted "no"; S. B. No. 100 has been concurred in by the House.

Senate Bill No. 175, introduced by Kane, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Wigal, Woodcock. Total 80.

Noes: Cusker, Ragen, Waite. Total 3.

Absent and not voting: Arnold, Doran, Ferry, Freed, Groene (Fergus), Knowles, Logan, McDermott, Metlen, Moss, Nelstead, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Sullivan, Whaley, Mr. Speaker. Total 17.

The following "passed": White. Total 1.

The Speaker: Eighty have voted "aye," 3 have voted "no"; S. B. No. 175 has been concurred in by the House.

Senate Amendments to House Bill No. 182, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Ecton, Findlater, Fitzstephens, Givens, Goodwin, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek,

Kruse, Kuhl, Lewis, Lott, Love, McCarvel, McElwain, Manning Marshall, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), White, Woodcock. Total 73.

Noes: Duffy, Grabow, Jensen, Miles, Ralston, Reardon (Deer Lodge), Stephens (McCone), Waite. Total 8.

Absent and not voting: Ballard, Byrne, Doe, Doran, Ferry, Freed, Groene (Fergus), Knowles, Larsen, Logan, McDermott, Mason, Metlen, Moss, Nelstead, Shannon, Sullivan, Whaley, Wigal, Mr. Speaker. Total 20.

The Speaker: Seventy-three have voted "aye", 8 have voted "no"; S. A. H. B. No. 182, have been concurred in by the House.

Senate Amendments to House Bill No. 250, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Kruse, Kuhl, Lott, Love, McCarvel, Manning, Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Quamme, Rearden (Cascade), Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Sparling, Stevens (McCone), Stevens (Wheatland), Stiefel, Ueland, Watson (Missoula), White, Marshall. Total 64.

Noes: Blankenbaker, Conner, Duffy, Haight, Hilger, Holecek, McElwain, Miles, Miller (Big Horn), Ragen, Ralston, Reardon (Deer Lodge), Spangler, Strange, Trenne, Waite, Watson (Meagher), Woodcock. Total 18.

Absent and not voting: Ballard, Doran, Freed, Knowles, Larsen, Lewis, Logan, McDermott, Mason, Metlen, Moss, Nelstead, Porter, Rolph, Shannon, Sullivan, Whaley, Wigal. Mr. Speaker. Total 19.

The Speaker: Sixty-four have voted "aye", 18 have voted "no"; Senate Amendments to House Bill No. 250 have been concurred in by the House.

Senate Amendments to House Bill No. 197, having been read three several times, were concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Waite, Watson (Meagher), White, Woodcock, Pilgeram. Total 80.

Noes: Strange. Total 1.

Absent and not voting: Abrahamson, Ballard, Doran, Groene (Fergus), Knowles, Larsen, McElwain, Mason, Moss, Nelstead, Porter, Ralston, Roll, Rolph, Sullivan, Ueland, Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 20.

The Speaker: Eighty have voted "aye", 1 has voted "no", Senate Amendments to House Bill No. 197 have been concurred in by the House.

Senate Amendments to House Bill No. 77, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Rearden (Cascade), Rognlien, Rolph, Schuster, Setzer, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White. Total 76.

Noes: Blankenbaker, Cusker, Holecek, Nutting, Ralston, Snidow. Total 6.

Absent and not voting: Byrne, Doran, Knowles, Lewis, McDermott, Moss, Nass, Nelstead, O'Connell, Quamme, Reardon (Deer Lodge), Roll, Shannon, Sullivan, Whaley, Wigal, Mr. Speaker. Total 17.

The following "passed": Replogle, Woodcock. Total 2.

The Speaker: Seventy-six have voted "aye", 6 have voted "no", Senate Amendments to House Bill No. 77 have been concurred in by the House.

Senate Amendments to House Bill No. 194 having been read three several times, were not concurred in by the House, the vote being as follows:

Ayes: Acher, Arnold, Bjorneby, Blankenbaker, Breitenstein, Ecton, Findlater, Fitzstephens, Fowler, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Lewis, Logan, Manning, Marshall, Nass, Nutting, Pierson, Pilgeram, Porter, Quamme, Ragen, Rognlien, Schuster, Setzer, Snidow, Sparling, Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Woodcock. Total 37.

Noes: Abrahamson, Anderson, Annin, Balgord, Beadle, Besancon, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ferry, Freed, Freudenstein, Givens, Goodwin, Grabow, Harrington, Holecek, Jensen, Kuhl, Love, McCarvel, McElwain, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, O'Connell, O'Shea, Parker (Flathead), Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland). Total 45.

Absent and not voting: Ballard, Doran, Groene (Fergus), Knowles, Kruse, Larsen, Lott, McDermott, Miller (Big Horn), Moss, Nelstead, Parker (Broadwater), Shannon, Sullivan, Waite, Whaley, Wigal. Mr. Speaker. Total 18.

The following "passed": White. Total 1.

The Speaker: Thirty-seven have voted "aye", 45 have voted "no", Senate Amendments to House Bill No. 194 have not been concurred in by the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 207, 183, 118, 148, 84, 222 and 201 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:40 o'clock p. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 102, introduced by Committee on State and County Economies: A Bill for an Act Entitled: "An Act to amend Section 4922, Revised Codes of Montana, 1921, relating to the fees of County Coroners." Respectfully report and recommend as follows:

That S. B. No. 102 be amended as follows: Line 29, after the word "him," strike out the period and insert a comma, and insert the following: "provided the Coroner in a County having a population of 50,000 or more shall receive a salary of \$3300 per year and all clerical and stenographic help shall be included in such salary. Said population to be based on the United States Census of 1930." And as amended, the bill be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 25, introduced by Kaulbach and Galt: A Bill for an Act Entitled: "An Act to amend Sections 4525 and 4526 of the Revised Codes of Montana of 1921, providing for the letting of contracts by Boards' of County Commissioners for the care, support and maintenance of the indigent sick, poor and infirm of the County." Respectfully report and recommend as follows:

That S. B. No. 25 be concurred in.

BYRNE, Chairman."

On motion by Byrne, report adopted.

"Mr. Speaker: We, your Committee on Ways and Means, having had under consideration H. B. No. 342, by Committee on Ways and Means: A Bill for an Act Entitled: "An Act amending Section Two of Chapter Ten, Laws of the Twenty-third Legislative Assembly of the State of Montana, the same being House Bill No. Twenty-two, relating to the issuance of bonds of the State of Montana to fund indebtedness of said State evidenced by General Fund Warrants, and providing for the payment thereof." Respectfully report and recommend as follows:

That H. B. No. 342 do pass.

ABRAHAMSON, Chairman."

On motion by Abrahamson, report adopted.

MOTIONS AND RESOLUTIONS

Watson (Meagher): Move that Senate Bill No. 179 be re-referred to the Committee on Public Morals, Charities and Reforms. Seconded. Carried.

Ecton: Move the House now reconsider its action of S. B. No. 161, Seconded. Carried.

Besancon: Move that House Bill No. 342 be considered duly printed. Seconded. Carried.

Besancon: Move the House now reconsider its action on Senate Amendments to House Bill No. 194. Seconded. Carried.

Besancon: Move that House Bill No. 194 with Senate Amendments be placed back on General Orders. Seconded. Carried.

Ecton: Move that Senate Bill No. 160 and Senate Bill No. 26 be passed for the day. Seconded. Carried.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into a Committee of the Whole for the consideration of General Orders, under the rules of the previous sittings. Seconded. Carried.

Fitzstephens of Gallatin in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration S. A. H. B. No. 283, S. B. 203, 127, 116, 113, 112, 10, 68, 126, 75 and 128, respectfully report and recommend as follows:

That Senate Amendments to H. B. No. 283 be concurred in.

That Senate Bill No. 203 be not concurred in.

That S. B. No. 127 be amended as follows: By adding a new Section to be known as Section 12, reading as follows: "That at no time shall this Act be construed as allowing the constitution of a monopoly which shall in any way react to the harm or great disadvantage of any person or persons owning lands contiguous to such co-operative grazing association, provided that such persons shall own both land and livestock wherein the assessed valuation shall not be less than \$2,500.00, and further provided that the District Judge of the District in which such lands are located shall be the final arbiter." And that the subsequent sections be renumbered accordingly, and as so amended, the bill be concurred in.

That S. B. No. 116 be concurred in.

That S. B. No. 113 be concurred in.

That S. B. No. 112 be concurred in.

That S. B. No. 10 be passed for the day.

That S. B. No. 68 be concurred in.

That S. B. No. 126 be concurred in.

That S. B. No. 75 be concurred in.

That S. B. No. 128 be concurred in.

FITZSTEPHENS, Chairman."

On motion by Fitzstephens, report adopted.

Besancon: Move the House adjourn until 10:00 o'clock a. m. tomorrow morning, February 27, 1934. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-SEVENTH DAY

House of Representatives.
Helena, Montana, February 27, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-fourth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-fifth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 114, a Bill for an Act entitled: "An Act to amend Chapter 160 of Part 3 of the Political Code of the Revised Codes of the State of Montana of 1921, relating to the assessment of property for taxation purposes, by the addition thereto of a new section to be known as Section 2013A, and providing the method for fixing the valuation of all public utility property for taxation purposes," respectfully report and recommend as follows:

That S. B. No. 114 be not concurred in.

GROENE, Chairman."

Groene: Move the adoption of the report. Seconded.

Beadle: As a substitute motion, move the bill be placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 122, a Bill for an Act entitled: "An Act creating a lien on motor vehicles for labor furnished or machinery, supplies, materials or storage contributed, in making, altering, repairing, storing, or otherwise caring for same, and providing for the filing of a statement of such lien, and for the foreclosure of such lien and defining the rights of mortgages or holders of conditional sales contracts," respectfully report and recommend as follows:

That S. B. No. 122 be not concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: H. J. M. No. 7, House Bills Nos. 147, 172, 145, 275, 306, 46, 240, 252, 178, 202 and Sub. H. B. No. 216.

LARSEN, Chairman."

Without objection, report adopted.

The Speaker gave notice that he was about to sign Senate Bill No. 84, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 105, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 115, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 158, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 164, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 186, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 13, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Sub. Senate Bill No. 9, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Joint Memorial No. 7, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 147, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 172, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 145, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 275, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 306, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 46, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 240, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 252, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 178, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 202, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Sub. House Bill No. 216, and thereupon signed the same, in the presence of the House.

The Speaker appointed the following conference committees:

On Senate Amendments to House Bill No. 73—Breitenstein of Hill, Grabow of Park, Watson of Missoula.

On House Amendments to Senate Bill No. 54—Cusker of Roosevelt, Rolph of Liberty, Roll of Cascade.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 27, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day, on request of the House, appointed the following Senators to act as a conference committee with a like committee from the House for consideration of Senate amendments to House Bill No. 165: Senators Armstrong, MacGilvra, and Cooper.

Respectfully,

J. F. CONE,
Secretary.

THIRD READING OF SENATE BILLS

Senate Bill No. 113, introduced by Holt by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Ballard, Beadle, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Schuster, Setzer, Snidow, Somerville, Sparring, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Annin, Arnold, Balgord, Besancon, Daugherty, Duffy, Freed, Groene (Fergus), Knowles, Love, Moss, Mulholland, Nass, Nelstead, Parker (Flathead), Porter, Ralston, Reardon (Deer Lodge), Roll, Rolph, Shannon, Spangler, Sullivan, Waite, Watson (Meagher). Total 25.

The Speaker: Seventy-six have voted "aye", none have voted "no"; Senate Bill No. 113 has been concurred in by the House.

Senate Bill No. 127, introduced by Ekegren, Kilduff and Thien, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 88.

Noes: Ragen. Total 1.

Absent and not voting: Annin, Daugherty, Duffy, Knowles, Larsen, Metlen, Moss, Nelstead, Ralston, Rearden (Deer Lodge), Shannon, Sullivan. Total 12.

The Speaker: Eighty-eight have voted "aye," 1 has voted "no"; Senate Bill No. 127 has been concurred in by the House.

Senate Bill No. 116, introduced by Pauline and Duncan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Duffy, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rognlien, Rolph, Schuster, Setzer, Somerville, Spangler, Sparling, Stephens, Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Daugherty, Duffy, Freed, Groene (Fergus), Knowles, Kruse, Larsen, Moss, Nelstead, Rearden (Cascade), Reardon (Deer Lodge), Roll, Shannon, Snidow, Stiefel, Sullivan. Total 16.

The Speaker: Eighty-five have voted "aye", none have voted "no"; Senate Bill No. 116 has been concurred in by the House.

Senate Bill No. 112, introduced by Holt by request, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Quamme, Ragen,

Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens, (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Mr. Speaker. Total 80.

Noes: Hilger, O'Connell. Total 2.

Absent and not voting: Annin, Daugherty, Duffy, Freed, Groene (Fergus), Knowles, Love, Metlen, Moss, Nelstead, Parker (Flathead), Porter, Ralston, Reardon (Deer Lodge), Shannon, Spangler, Sullivan, Waite, White. Total 19.

The Speaker: Eighty have voted "aye", 2 have voted "no"; Senate Bill No. 112 has been concurred in by the House.

Senate Bill No. 68, introduced by Rowland, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Woodcock, Lewis, Mr. Speaker. Total 80.

Noes: O'Connell. Total 1.

Absent and not voting: Annin, Byrne, Daugherty, Duffy, Freed, Freudenstein, Knowles, Love, Metlen, Moss, Nass, Nelstead, Ralston, Reardon (Deer Lodge), Shannon, Spangler, Sullivan, Ueland, Waite, White. Total 20.

The Speaker: Eighty-one have voted "aye", 1 has voted "no"; Senate Bill No. 68 has been concurred in by the House.

Senate Bill No. 126, introduced by Ekegren, Kilduff and Thien, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Annin, Byrne, Daugherty, Duffy, Freed, Groene (Fergus), Knowles, Larsen, Love, Metlen, Moss, Mulholland, Nelstead, O'Connell, Pierson, Ralston, Reardon (Deer Lodge), Shannon, Spangler, Sullivan, Ueland, Waite, White, Woodcock. Total 24.

The Speaker: Seventy-eight have voted "aye", none have voted "no"; Senate Bill No. 126 has been concurred in by the House.

Senate Bill No. 75, introduced by Husband, Kelsey and Burr, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Acher, Anderson, Annin, Arnold, Balgord, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Ecton, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Hilger, Jensen, Knowles, Kruse, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Miller (Lincoln), Nass, Nutting, Parker (Flathead), Pierson, Pilgeram, Quamme, Ragen, Rognlien, Roll, Rolph, Schuster, Setzer, Sparling, Stevens (Wheatland), Stiefel, Trenne, Watson (Meagher), Watson (Missoula), Whaley, Mr. Speaker. Total 55.

Noes: Abrahamson, Ballard, Beadle, Blankenbaker, Cusker, Ferry, Findlater, Hagerty, Holecek, Kuhl, Lewis, Miller (Big Horn), Mulholland, O'Connell, O'Shea, Parker (Broadwater), Porter, Rearden (Cascade), Replogle, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Strange, Wigal, Woodcock. Total 27.

The following "passed": Lott. Total 1.

Absent and not voting: Daugherty, Doran, Duffy, Freed, Grabow, Larsen, Logan, Mason, Metlen, Miles, Moss, Nelstead, Ralston, Reardon (Deer Lodge), Sullivan, Ueland, Waite, White. Total 18.

The Speaker: Fifty-five have voted "aye", 27 have voted "no"; Senate Bill No. 75 has been concurred in by the House.

Senate Bill No. 128, introduced by Angvick and Holt, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Arnold, Balgord, Ballard, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Doe, Ecton, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Jensen, Knowles, Kruse, Logan, McCarvel, McDermott, Manning, Marshall, Miller (Big Horn), Miller (Lincoln), Mulholland, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Rearden (Cascade), Rognlien, Roll, Setzer, Shannon, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Watson (Meagher), Watson (Missoula), White. Total 55.

Noes: Abrahamson, Acher, Beadle, Besancon, Blankenbaker, Conner, Doran, Harlen, Hilger, Holecek, Kuhl, Lewis, Lott, Love, McElwain, Miles, Nass, Nutting, O'Connell, O'Shea, Porter, Quamme, Ragen, Replogle, Rolph, Schuster, Snidow, Trenne, Whaley, Wigal, Woodcock, Mr. Speaker. Total 32.

Absent and not voting: Annin, Daugherty, Duffy, Ferry, Freed, Larsen, Mason, Metlen, Moss, Nelstead, Ralston, Reardon (Deer Lodge), Sullivan, Waite. Total 14.

The Speaker: Fifty-five have voted "aye", 32 have voted "no"; Senate Bill No. 128 has been concurred in by the House.

Senate Amendments to House Bill No. 283, having been read three several times, title and history agreed to, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Ballard, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Doran, Ecton, Findlater, Fowler, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nutting, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll,

Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Annin, Balgord, Beadle, Cusker, Daugherty, Duffy, Ferry, Fitzstephens, Freed, Freudenstein, Goodwin, Knowles, Kruse, Mason, Metlen, Moss, Nass, Nelstead, O'Connell, Parker (Broadwater), Reardon (Deer Lodge), Sullivan. Total 22.

The Speaker: Seventy-nine have voted "aye," none have voted "no"; Senate Amendments to House Bill No. 283 have been concurred in by the House.

GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders under the rules of previous sittings. Seconded. Carried.

Fowler of Yellowstone in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 10, 201, respectfully report and recommend as follows:

That Senate Bill No. 10 be amended as follows: Section 3 by adding Sub-section A as follows: "Sub-section (A). Within thirty (30) days from and after the passage and approval of this Act the Public Service Commission of Montana shall establish one (1) or more differential basal rate points within the State of Montana to be used as a basis for determining gasoline and petroleum product rates within the State of Montana." I move to further amend Section 3 by adding Sub-section (b) to follow Sub-section (a) as follows: "Sub-section (b). The Public Service Commission is authorized to make reasonable rules and regulations regarding the distribution of gasoline and petroleum products within the State of Montana and within thirty (30) days' notice, a dissatisfied party or parties may appeal from the rulings of said Commission to courts of competent jurisdiction for a review of the findings of said Commission; also in Section 1 by striking out in line 6 of the printed bill, after the word "misdemeanor" the word "provided," and all of lines 7-8 and all of line 9 up to and including the word "price." Also amend the title by adding, following the word "product" and before the word "within," and inserting the words "and establishing a differential basal rate point." Also amend by adding a new Section 8 reading as follows: "Section 8. If any clause, sentence, paragraph, subdivision, section or part of this Act shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair, invalidate or nullify the remainder of this Act, but shall be confined to the clause, sentence, paragraph, subdivision, section or part immediately involved, and the remainder of this Act shall be given effect, and renumbering the sections accordingly, and that as so amended, the bill be concurred in.

That Senate Bill No. 201 be concurred in.

FOWLER."

On motion by Fowler, report adopted.

Besancon: Move the House now recess until 1:45 o'clock P. M. Seconded. Carried.

AFTERNOON SESSION

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 172, a Bill for an Act entitled: "An Act relating to the granting of stays of proceedings in actions instituted in the district courts for the foreclosure of mortgages on real estate," respectfully report and recommend as follows:

That Senate Bill No. 172 be amended as follows:

That Section 3 be amended by striking out after the word "There" and before the word "be" (line 32, page 1, of the original bill; line 4 of Section 4 in the printed bill) the word "may" and inserting the word "must" in lieu thereof; that Section 3 be further amended by inserting after the word "property" and before the word "disposition" (line 3, page 2, of the original bill; lines 6 and 7 of Section 3 in the printed bill) the following: "payment of interest on the debt, payment of taxes." That Section 4 be amended by striking out all of the last sentence of the section beginning with the words "In the event" (line 12, page 2, of the original bill; not included in the printed bill) and inserting the following in lieu thereof: "In no event shall such continued stay extend beyond March 1, 1935"; that Section 5 be amended by striking out after the word "after" and before the word "months" (line 18, page 2, of the original bill; line 1 of Section 5 in the printed bill) the word "six" and inserting in lieu thereof the word "four"; and that when so amended the bill be concurred in.

GROENE, Chairman."

On motion by Groene, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 36, a Bill for an Act entitled: "An Act authorizing the Board of School Trustees of any district, whenever such district shall have a floating warrant indebtedness for teachers' salaries, school supplies and other necessary expenses incurred in the maintenance of schools in such district represented by warrants heretofore issued, as well as by warrants issued hereafter for the school year ending June 30th, 1933, within the amount of taxes levied and not collected, to issue bonds for the purpose of funding the same; prescribing the procedure and method of issuing, sale and payment of said bonds, and repealing Chapter 140, Laws of the Legislative Assembly for 1929, respectfully report and recommend as follows:

That Senate Bill No. 36 be concurred in.

FREED, Chairman."

On motion by Freed, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move that communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence in the Senate, and bills are herewith returned to the House:

House Bill No. 205, by Committee on Highways, killed by adverse committee report.

Substitute House Bill No. 25, by Committee on Revenue and Taxation, killed by adverse committee report.

House Bill No. 133, by Goodwin, killed by adverse committee report.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

House Bill No. 241, by Goodwin.

House Bill No. 221, by Somerville.

House Bill No. 269, by Groene of Fergus.

Substitute House Bill No. 127, by Balgord.

House Bill No. 135, by Porter, Watson of Missoula, Wigal, Roll and Jensen.

House Bill No. 122, by Porter, Watson of Missoula, Wigal, Roll and Jensen.

House Bill No. 326, by Reardon of Deer Lodge.

House Bill No. 120, by McCarvel, by request.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 186, by Logan, by request, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Judiciary amendment to House Bill No. 186: Amend by striking out in line 15, original bill, all of the words after the word, "funds"; by striking out all of lines 16 and 17 up to and including the comma after the word, "relief"; and by inserting after the word, "appropriate," in line 15, the word "such."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 248, by Committee on Economy, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee of the Whole amendment to House Bill No. 248:

Amend in Section 1 by striking out in lines 11 and 12 the words, "Insurance Department in State Auditor's office."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 31, by Stiefel, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Education amendment to House Bill No. 31:

Amend on page 1, line 23, by striking out the words, "which is nearest to the pupil's residence," and by striking out lines 24 and 25 and inserting in lieu thereof, "located in said district and which is nearest or most accessible to the pupil's residence. If said district which maintains the accredited high school nearest or most accessible to the pupil's residence does not furnish transportation or rent of quarters, then any other school within the county which maintains an accredited high school may furnish such transportation or rent of quarters."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 23, by Byrne, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Taxation amendment to House Bill No. 23:

Amend in Section 1, line 13, by inserting after the word, "taxes," a semicolon, and adding the following words: "Provided further that if the rate of taxation fixed for the year in which the collection is made is an increase over the preceding year's levy, then the said Board of County Commissioners may direct the County Treasurer to collect the amount of such increased levy, but shall not be obliged to do so in cases where, in the opinion of the Board, the cost of collection would exceed the amount of such increase, and provided further that if the tax fixed for the year in which the collection is made shall be less than the levy for the preceding year, then the person from whom such excess tax was collected may file with the Board of County Commissioners a duly verified claim for a refund of such excess tax at any time before the first day of November of the year in which such an excess tax was collected, and such claims shall be allowed and ordered paid by the Board of County Commissioners to the amount of such excess."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 97, by Byrne, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Mines and Mining amendments to House Bill No. 97:

Amend Section 1 by adding the words, "and machinery used in mining," after the words, "reduction works," in line 47, page 2, printed bill, and by adding the following words and figures after the word, "made," in line 48, page 2: "12. Actual cost of fire insurance and workmen's compensation insurance. 13. The amount of all taxes paid on the mine or mining claim and the operation thereof, and on reduction works and machinery used in mining."

Amend Section 2 by adding the words, "and machinery used in mining," after the words, "reduction works," in line 22, page 4, printed bill; amend by adding the following words and figures after the word, "money," in line 27, page 4: "7. All moneys expended for fire insurance and workmen's compensation insurance. 8. All moneys expended in payment of taxes on the mine or mining claim and the operation thereof, and upon reduction works and machinery used in mining."

Senate Committee of the Whole amendments to House Bill No. 97:

Amend in Section 1 by striking out in lines 20 and 21 the words, "and such assessment shall not be reduced."

Amend in Section 1 by striking out in line 60 the word, "April," and inserting in lieu thereof the word "May."

Amend in Section 1 by striking out in line 70 the word, "May," and inserting in lieu thereof the word, "June."

Senate Committee on Taxation amendments to House Bill No. 97:

Amend by striking out all amendments by Committee on Mines and Mining therein and inserting in lieu thereof the following amendments: Amend Section 1 by adding the following words and figures after the word, "made," in line 48, page 2, printed bill: "12. Actual cost of fire insurance and workmen's compensation insurance. 13. The amount of all taxes paid on the mine or mining claim."

Amend Section 2 by adding the following words and figures after the word, "money," in line 27, page 4: "7. All moneys expended for fire insurance and workmen's compensation insurance. 8. All moneys expended in payment of taxes on the mine or mining claim."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 26, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate standing committees this day reported as follows:

Committee on Education: That Substitute House Bill No. 264 be amended in line 23, page 1, engrossed bill, by striking out the words, "of whom ten (10) shall be"; in line 31, page 1, engrossed bill, by inserting the words, "for a term of two years," after the word "vacancies"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Irrigation and Water Rights: That House Bill No. 296 be concurred in. Report adopted.

Committee on Labor and Capital: That House Bill No. 166 be amended by striking out all of Section 1 and inserting in lieu thereof the following: "Section 1. Commencing on July 1, 1933, in cities of seven thousand (7,000), or more inhabitants, a period of eight (8) hours shall constitute a day's work for all persons in retail stores, all persons engaged in delivering goods sold in such stores, all persons in wholesale warehouses used for supplying retail establishments with goods; and all persons engaged in delivering goods to retail establishments from such wholesale warehouses, and all such establishments shall remain open for business only between the hours of nine o'clock (9 o'clock) A. M. and six o'clock (6 o'clock) P. M. and remain closed all day on Sundays and on all legal holidays; providing that drug stores may remain open four (4) hours on Sundays or holidays, and providing further that in cases of an emergency where life or property are in imminent danger, they may be opened at any time for the purpose of filling prescriptions or doing apothecary work"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Labor and Capital: That House Bill No. 233 be amended by striking out of the title, printed bill, beginning with the second word "and" in line 18, and ending with the word, "therein," in line 21 of the printed bill, the following: "and to require the setting up in the penal and reformatory institutions of the state of a cost-accounting system in connection with the manufacture or production of goods, wares and merchandise therein."

Further amend by inserting after the figures "1934" in line 1 of Section 1, printed bill, the following: "except as otherwise hereinafter provided."

Further amend by adding after the word, "exchange" in line 15 of Section 4, printed bill, the following: "except articles and things made by an inmate of any such institution for his own individual profit."

Further amend by striking out all of Section 5, printed bill, and inserting in lieu thereof the following: "Section 5. Nothing herein contained shall be deemed to prevent any of the said institutions from manufacturing motor vehicle number plates, and other articles required or needed by the office of the Registrar of Motor Vehicles, or from preventing any of said institutions selling or disposing of any reasonable surplus of produce raised exclusively for the use, feeding or maintenance of the inmates of any of said institutions."

And as so amended, recommend said bill be concurred in. Report adopted.

Committee on Public Lands: That House Bill No. 149 be concurred in. Report adopted.

Committee on Public Lands: That House Bill No. 277 be concurred in. Report adopted.

Committee on Public Lands: That House Bill No. 301 be concurred in. Report adopted.

Committee on Public Lands: That House Bill No. 225 be concurred in. Report adopted.

Committee on Taxation: That House Bill No. 267 be concurred in. Report adopted.

Committee on Roads and Highways: That House Bill No. 205 be not concurred in. Report adopted.

Committee on Roads and Highways: That House Bill No. 206 be concurred in. Report adopted.

Committee on Roads and Highways: That House Bill No. 237 be amended in Section 1, line 7, by striking the words, "a fee of twenty-five dollars (\$25.00)," and inserting in lieu thereof "a minimum fee of thirty dollars (\$30.00)."

Be amended in line 9 by striking the words, "above six (6)," and inserting in lieu thereof "up to six (6) sets, and two dollars (\$2.00) additional fee for each additional set of number plates";

Be amended by adding a new paragraph after line 15, printed bill, to read as follows: "trucks not over one (1) ton capacity, ten dollars (\$10.);";

Be amended in line 16, printed bill, by striking the words "five dollars (\$5.00)," and inserting in lieu thereof the words, "sixteen dollars (\$16.00)";

Be amended in line 19, printed bill, by striking the words, "sixty dollars (\$60.00)," and inserting in lieu thereof the words, "thirty-seven dollars and fifty cents (\$37.50)";

Be amended in line 20, printed bill, by striking the words, "one hundred dollars (\$100.00)," and inserting in lieu thereof the words, "sixty dollars (\$60.00)";

Be amended in line 21 by striking the words, "three hundred dollars (\$300.00)," and inserting in lieu thereof the words, "two hundred dollars (\$200.00)";

Be amended in Sub-section A of Section 1, lines 36 and 37, printed bill, by striking the words, "or first-class city situated in county, such county having less than four hundred (400) miles of county highway, exclusive of federal or state maintained highways";

Be amended in Sub-section B of Section 1, by striking out in lines 43 and 44, printed bill, the following: "or first-class city situated in county having less than four hundred (400) miles of county maintained roads."

Be amended by striking out all of Section 4.

And as so amended, recommend said bill be concurred in. Report adopted.

Committee on Oil and Leases: That Substitute House Bill No. 25 be not concurred in. Report adopted.

Committee on Oil and Leases: That House Bill No. 305 be amended in Section 2 by striking out in line 13, printed bill, the words and figures, "one-fourth ($\frac{1}{4}$)," and inserting in lieu thereof the words and figures, "one-eighth ($\frac{1}{8}$)";

Be amended in Section 2 by inserting in line 22, printed bill, after the word, "inch," the following: "and at a temperature of sixty degrees Fahrenheit"; and also inserting in the same line 22 after the word "pressure" the words "and temperature."

Be amended in Section 9 by striking out in line 2, printed bill, after the word, "deposited," the word and figure, "one-half ($\frac{1}{2}$)" and also all of the said section following the word, "State," to-wit: "twenty-five per centum (25%) to the credit of the common school interest and income fund, and twenty-five per centum (25%) to the common school equalization fund";

And as so amended, recommend said bill be concurred in. Report adopted.

Committee on Education: That H. B. No. 258 be concurred in. Report adopted.

Committee on Education: That H. B. No. 112 be concurred in. Report adopted.

Committee on Education: That H. B. No. 130 be amended in Section 1, line 30, by inserting the following after the word, "school": "or if the child has passed the eighth grade and in the opinion of the high school principal the child is wasting his time while in attendance at the high school";

And as so amended, recommend said bill be concurred in. Report adopted.

Committee on Fish and Game: That H. B. No. 259 be concurred in. Report adopted.

Minority of Committee on Judiciary: That H. B. No. 288 be concurred in. Report adopted.

Minority of Committee on Judiciary: That H. B. No. 228 be concurred in. Report adopted.

Minority of Committee on Judiciary: That H. B. No. 229 be concurred in. Report adopted.

Committee on Roads and Highways (Majority): That H. B. No. 204 be amended by striking out in the fourth line of the title the word, "public," and inserting in lieu thereof the word, "state"; and by striking out in line 24, engrossed bill, the word, "public," and inserting in lieu thereof the word, "state"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Labor and Capital: That H. B. No. 133 be not concurred in. Report adopted.

Majority of Committee on Roads and Highways: That H. B. No. 203 be amended in Section 1, page 1, line 18, (printed bill, Section 1, line 8), after the word, "operation," by inserting the following: "upon any highway maintained by the National Park Service or for any operation";

Also amend in Section 1, page 1, line 19, (printed bill, Section 1, line 9), by striking out the period after the word, "thereof," and inserting in lieu thereof a comma, and after the comma adding the following: "but shall apply to all carriers operating through or from any city or town";

Also amend by inserting after Section 1 and before Section 2 the following sections to be designated as Section 1-A and Section 1-B, reading as follows:

"Section 1-A. This Act shall not apply to 'private motor carriers of property' who shall operate wholly within any city, town or village of this state or within a radius of six miles of the corporate limits of such city, town or village, or to the producer transporting his own livestock or farm products to market in his own motor vehicle, or to the exchange of farmers motor vehicles engaged in harvesting or marketing other than for hire, or to persons, firms, concerns or corporations engaged in the construction, maintenance or repair of any public highways of this state.

"Section 1-B. Nothing in this Act shall be construed as affecting the operation of school busses which are used in conveying school children to and from district or other schools, or to the transportation of freight or passengers by motor vehicles when done occasionally and not as a regular business or to the transportation by means of motor vehicles in the regular course of business of employees, supplies, and materials by any person, firm or corporation engaged exclusively in the construction or maintenance of highways, or engaged exclusively in logging or mining operations, insofar as the use of employees, supplies and materials in construction and production is concerned."

Also amend Section 2 by striking from page 2, lines 25, 26 and 27 the following: "Nothing in this Act shall be construed to apply to highways in territories not served by railroads." (Amendment inserted by House of Representatives, therefore not in printed bill.)

Also amend Section 4 by striking out on page 3, in lines 11, 12, 13 and 14, (printed bill, Section 4, lines 8, 9 and 10), the following words: "this deposit shall be construed to be the annual minimum of taxes to be paid by any such motor carrier operating under the provisions of this Act and any";

Also amend in Section 4, page 3, lines 15 and 16 (printed bill, Section 4, lines 11 and 12), by striking out the words, "minimum and when such minimum" and "is exhausted," and add to the end of Section 4, line 17 of page 3 (printed bill, Section 4, line 13), the following: "If such motor carrier shall not become liable in any one year for fees equal to the amount of the deposit made in said year, he shall be entitled to and shall receive a refund equal to the difference between the amount of the fees for which he has become liable as provided for in Section 2 and the amount of the deposit."

And as so amended, recommend said bill be concurred in. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the House now reconsider its action on Senate Bill No. 111. Seconded. Carried.

Mason: Move the House now reconsider its action on Senate Bill No. 116. Seconded. Carried.

Marshall: Move the Senate be requested to return Senate Bill No. 111 to the House. Seconded. Carried.

Groene: Move that the Senate be requested to return Senate Bill No. 156 and that it be placed back on General Orders. Seconded.

Besancon: As a substitute motion, move that further action on Senate Bill No. 156 be indefinitely postponed. Seconded. Carried.

Shannon: Move that the members of the Appropriations Committee be excused for a few moments. Without objection, so ordered.

McCarvel: Move that the House reconsider its action on Senate Amendments to House Bill No. 283, and that the Bill be placed back on General Orders. Seconded. Carried.

Annin: Move the House now reconsider its action on Senate Amendments to House Bill No. 203. Seconded. Defeated.

THIRD READING OF SENATE BILLS

Senate Bill No. 10, introduced by Simmons, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Ecton, Ferry, Findlater, Fowler, Freed, Goodwin, Groene (Fergus), Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Lott, Love, McDermott, McElwain, Manning, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Ragen, Ralston, Rearden (Cascade), Roll, Schuster, Setzer, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 67.

Noes: Byrne, Pierson, Replogle, Rolph, Snidow. Total 5.

Absent and not voting: Arnold, Beadle, Cusker, Daugherty, Doe, Doran, Duffy, Fitzstephens, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty, Larsen, Logan, McCarvel, Marshall, Mason, Metlen, Moss, Mulholland, Nelstead, Quamme, Reardon (Deer Lodge), Rognlien, Shannon, Spangler, Sullivan, Waite. Total 29.

The Speaker: Sixty-seven have voted "aye", 5 have voted "no"; Senate Bill No. 10 has been concurred in by the House.

Senate Bill No. 201, introduced by MacGilvra, having been read three several times, title and history agreed to, was concurred in and by the following vote:

Ayes: Acher, Anderson, Balgord, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Ecton, Fowler, Groene (Fergus), Haight, Harlen, Hilger, Holecek, Knowles, Kruse, Lewis, Lott, Love, McElwain, Mason, Metlen, Miles, Miller (Big Horn), Mulholland, Nass, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ragen, Roll, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 53.

Noes: Abrahamson, Annin, Ballard, Blankenbaker, Cusker, Ferry, Findlater, Freed, Goodwin, Harrington, Kuhl, Larsen, McDermott, Miller (Lincoln), O'Shea, Ralston, Rearden (Cascade), Replogle, Rolph, Whaley, Woodcock. Total 21.

Absent and not voting: Arnold, Beadle, Daugherty, Doe, Doran, Duffy, Fitzstephens, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty,

Jensen, Logan, McCarvel, Manning, Marshall, Moss, Nelstead, Nutting, Quamme, Reardon (Deer Lodge), Rognlien, Shannon, Spangler, Sullivan, Waite. Total 27.

The Speaker: Fifty-three have voted "aye", 21 have voted "no"; Senate Bill No. 201 has been concurred in by the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 65, introduced by State and County Economies Committee: A Bill for an Act Entitled: "An Act to amend Sections 4872 and 4873, Revised Codes of Montana, 1921, and Sections 4875, 4878 and 4880, Revised Codes of Montana, 1921; and repealing Sections 4876, 4877, 4881, 4882 and 4883, Revised Codes of Montana, 1921, all relating to deputies and assistants to county officers and their salaries and compensation."

Respectfully report and recommend as follows: That Senate Bill No. 65 be not concurred in.

BYRNE, Chairman."

Byrne: Move the report be adopted.

Groene: Move the bill be placed on General Orders. Seconded. Carried.

"Mr. Speaker: We, your Committee on Mines and Mining having had under consideration Senate Bill No. 62, introduced by Reed: A Bill for an Act Entitled: "An Act to amend Sections 48, 49, and 50 of Chapter 60, of the Session Laws of the State of Montana of 1927, relating to the granting, by the State Board of Land Commissioners, of prospecting permits for the exploration for ores, metals, precious stones and other valuable minerals on lands now owned by the state, or mineral rights held by the state, and for any lands to be acquired by the state; providing for the term of said permits; and further providing for the issuance of mining leases, by the State Board of Land Commissioners, permitting development and mining operations of said lands."

Respectfully report and recommend as follows: That Senate Bill No. 62 be concurred in.

McDERMOTT, Chairman."

On motion by McDermott, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 132: A Bill for an Act Entitled: "An Act to aid, assist and facilitate the making of loans to the owners of grain by corporations, associations or agencies created under or by authority of the Act of Congress of the United States for the purpose of making loans to aid agriculture: providing for the sealing of grain mortgaged to any such corporation, association or agency as security in whole or in part for loans obtained from it, the appointment of Sealers by the Farm Storage Commissioner, the issuance of certificates, the filing thereof, the fees to be paid; providing penalties for the breaking of seals and for the removal of sealed grain; prescribing duties of officers and prior lienholders seizing said grain and of the Farm Storage Commissioners."

Respectfully report and recommend as follows: That Senate Bill No. 132, be concurred in.

SNIDOW, Chairman."

On motion by Rolph, report adopted.

"Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 106: A Bill for an Act Entitled: "An Act to amend Section 2296, of the Revised Codes of the State of Montana of

1921, relating to the corporation license tax and the organizations not liable for said tax, and providing for an exemption for co-operative associations, organized for the purpose of purchasing supplies and equipment for the use of members or other persons, and further providing for corporations organized by an association for the purpose of financing the ordinary crop operations of the members or other producers and operators in conjunction with such association."

Respectfully report and recommend as follows: That Senate Bill No. 106 be amended, to read as follows:

On page 3, line 29, strike out the figure "8" and insert in lieu thereof the figure "6".

On page 3, line 31, strike out after the word "stock" and up to the word "is" on page 4, line 2, which is all that is included in parenthesis.

On page 4, line 22, strike out the figure "8" and insert in lieu thereof the figure "6".

On page 4, line 24, strike out after the word "stock" and up to the word "is" in line 28, which is all that is included in parenthesis.

And as amended be concurred in.

SNIDOW, Chairman."

On motion by Rolph, report adopted.

"Mr. Speaker. We, your Committee on Public Morals, Charities and Reforms having had under consideration Senate Bill No. 179. A Bill for an Act Entitled: "An Act relating to the licensing of child placing agencies; defining terms used in this Act; providing penalties for violations of this Act and repealing all Acts and parts of Acts in conflict herewith."

Respectfully report and recommend as follows: That Senate Bill No. 179 be not concurred in.

JENSEN, Chairman."

On motion by Jensen, report adopted.

"Mr. Speaker: We, your Conference Committee appointed to meet with a like Committee from the Senate in regard to House Amendments on Senate Bill No. 110, submit the following report:

We recommend that the Senate concur in the House Amendments.

House Committee:

NUTTING,
PIERSON,
PORTER.

Senate Committee:

JERGENSEN,
DUNCAN,
KEELEY."

On motion by Pierson, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 147, 172, 145, 275, 306, 46, 240, 252, 178, 202, Sub. H. B. No. 216, and H. J. M. No. 7, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 o'clock p. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the Consideration of General Orders. Seconded. Carried.

Watson of Meagher in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 160, 165, 26, 161, H. B. No. 342, S. B. No. 102, 25, Senate Amendments to H. B. No. 194, Senate Bill No. 114, Senate Amendments to House Bills Nos. 31, 248, 186, 23 and 97, S. B. No. 36, 172, 65, 62, 132, 106, respectfully report and recommend as follows:

That Senate Bill No. 160 be passed for the day.

That Senate Bill No. 165 be concurred in.

That S. B. No. 26 be concurred in.

That S. B. No. 161 be amended as follows: Section 1, by adding in line 9 after the word "purchaser" and "period," the words "Providing that this Act shall not apply to any auctioneer or agent acting in good faith under the direction of the owner," and as so amended, the bill be concurred in.

That H. B. No. 342, the enacting clause be stricken.

That S. B. No. 102 be concurred in.

That S. B. No. 25 be amended as follows: In Section 1, line 5, change the word "must" to "may," in Section 2, line 4, change the word "must" to "may," in Section 2, line 6 and line 9, change the word "must" to "may." Also in Section 1 in line 12, by inserting after the word "and," the following: "Christian and respectable," and as so amended, the bill do pass.

That Senate Amendments to House Bill No. 194 be concurred in.

That Senate Bill No. 144 be passed for the day.

That Senate Amendments to House Bill No. 31 be concurred in.

That Senate Amendments to House Bill No. 248 be concurred in.

That Senate Amendments to House Bill No. 186 be concurred in.

That Senate Amendments to House Bill No. 23 be concurred in.

That Senate Amendments to House Bill No. 97 be passed for the day.

That Senate Bill No. 36 be concurred in.

That Senate Bill No. 172 be concurred in.

That Senate Bill No. 65 be passed for the day.

That Senate Bill No. 132 be concurred in.

That Senate Bill No. 62 be concurred in.

That Senate Bill No. 106 be concurred in.

WATSON (Meagher), Chairman."

Watson of Meagher: Move the report be adopted. Seconded. Carried.

O'Connell: Move the House now reconsider its action on House Bill No. 342. Seconded. Defeated.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was this day introduced, without objection after the 50th day, read first time and second time at length, and referred to committee:

House Bill No. 343, introduced by Committee on Appropriations: A Bill for an Act entitled: "An Act to require the State Board of Examiners of the State of Montana to authorize claims for the remaining

period of the biennium not to exceed 90% of the balances of the remaining appropriations for any board, department, commission or institution that receives its appropriation from the general fund." Committee on Appropriations.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your conference committee, appointed to consider Senate amendments to House Bill No. 34, beg leave to report that Senate amendment to House Bill No. 34, known as Sec. 2-A be amended as follows: By striking out the figures "15" in line 2 of the amendment and inserting in lieu thereof the figures "20" and as so amended we concur in same.

The purpose of this amendment is to correct an error, and to make the figures correspond to the now existing law.

ARMSTRONG,
COOPER,
MacGILVRA,
Senate Committee.

HOLECEK,
McELWAIN,
LOTT,
House Committee."

A roll call was taken on the motion of Holecek that the report be adopted, which resulted in the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Doran, Ferry, Findlater, Fowler, Freed, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Cusker, Daugherty, Duffy, Ecton, Fitzstephens, Givens, Love, Metlen, Nass, Nelstead, Pierson, Porter, Replogle, Roll, Shannon, Sullivan, Waite, Watson (Missoula). Total 18.

The Speaker: Eighty-three have voted "aye," none have voted "no"; the conference report has been adopted by the House.

"Mr. Speaker: We, your conference committee appointed to consider Senate amendment to House Bill No. 165, introduced by Fish and Game Committee, report that the Senate recedes from the Senate amendment.

ARMSTRONG,
COOPER,
MacGILVRA,
Senate Committee.

SPANGLER,
WATSON (Meagher),
REPLOGLE,
House Committee.

On motion by Spangler, report adopted.

Besancon: Move the House now adjourn until 10:00 o'clock tomorrow morning.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-EIGHTH DAY

House of Representatives.
Helena, Montana, February 28, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock A. M.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present except Nelstead and Rearden (Cascade) excused; and Sullivan.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 56th Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 165, introduced by Kelsey, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Schuster, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Harrington. Total 1.

Absent and not voting: Arnold, Cusker, Duffy, Fowler, Groene (Fergus), Harlen, Larsen, Metten, Moss, Nelstead, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Setzer, Shannon, Stephens (McCone), Sullivan. Total 21.

The Speaker: Seventy-nine have voted "aye," 1 has voted "no"; Senate Bill No. 165 has been concurred in by the House.

Senate Bill No. 26, introduced by Rowland, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Chapman, Doran, Ecton, Findlater, Fitzstephens, Fowler, Givens, Goodwin, Grabow, Hagerty, Harlen, Kruse, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Lincoln), Parker (Flathead), Pierson, Pilgeram, Somerville, Stiefel, Trenne, Watson (Meagher), Watson (Missoula), White, Wigal, Woodcock, Mr. Speaker. Total 46.

Noes: Anderson, Beadle, Campbell, Conner, Daugherty, Doe, Ferry, Freed, Green (Dawson), Haight, Harrington, Hilger, Holecek, Jensen, Knowles, Kuhl, Love, Miller (Big Horn), Mulholland, Nass, O'Connell, Nutting, O'Shea, Parker (Broadwater), Porter, Quamme, Ragen, Replogle, Snidow, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Ueland, Whaley. Total 35.

Absent and not voting: Cusker, Duffy, Freudenstein, Groene (Fergus), Larsen, Metlen, Moss, Nelstead, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Spangler, Sullivan, Waite. Total 20.

The Speaker: Forty-six have voted "aye," 35 have voted "no"; Senate Bill No. 26 has been concurred in by the House.

Senate Bill No. 161, introduced by Kane, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Replogle, Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: Knowles, Besancon. Total 2.

Absent and not voting: Cusker, Duffy, Freed, Jensen, Larsen, Metlen, Moss, Nelstead, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Setzer, Shannon, Sullivan, Waite. Total 15.

The Speaker: Eighty-four have voted "aye," 2 have voted "no"; Senate Bill No. 161 has been concurred in by the House.

Senate Bill No. 102, introduced by Committee on State and County Economies, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson, Annin, Arnold, Balgord, Ballard, Besancon, Bjorneby, Blankenbaker, Breitenstein, Chapman, Conner, Cusker, Daugherty, Ecton, Fitzstephens, Freudenstein, Givens, Green (Dawson), Groene (Fergus), Hilger, Knowles, Kruse, Lewis, Logan, Lott, Love, McElwain, Manning, Marshall, Metlen, Miller (Big Horn), Nass, Nutting, Parker (Broadwater), Porter, Ragen, Rognlien, Roll, Schuster, Setzer, Snidow, Spangler, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Woodcock, Mr. Speaker. Total 52.

Noes: Abrahamson, Acher, Beadle, Byrne, Campbell, Doe, Doran, Ferry, Findlater, Freed, Goodwin, Grabow, Hagerty, Haight, Harlen, Harrington, Holecek, Jensen, Kuhl, Larsen, McCarvel, McDermott, Mason, Miles, Miller (Lincoln), Mulholland, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Quamme, Replogle, Rolph, Somerville, Sparling, Stephens (McCone), Whaley, Wigal. Total 38.

Absent and not voting: Duffy, Fowler, Nelstead, Moss, Pierson, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Sullivan, White. Total 11.

The Speaker: Fifty-two have voted "aye," 38 have voted "no"; Senate Bill No. 102 has been concurred in by the House.

Senate Bill No. 25, introduced by Kaulbach and Galt, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Haggerty, Haight, Harlen, Harrington, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 81.

Noes: Hilger, Holecek, Replogle. Total 3.

Absent and not voting: Besancon, Duffy, Fitzstephens, Freed, Groene (Fergus), Knowles, Larsen, Mason, Moss, Nelstead, Pierson, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Sparling, Sullivan. Total 17.

The Speaker: Eighty-one have voted "aye", 3 have voted "no"; Senate Bill No. 25 has been concurred in by the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: 326, 123, 142, 85, 111, 62, 221, 241, 66, 197, 120, 250, 182, 126 and Sub. 127.

LARSEN, Chairman"

Without objection, report adopted.

The Speaker gave notice that he was about to sign Substitute House Bill No. 127, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 182, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 250 and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 120, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 66, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 197, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 241, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 221, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 62, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 111, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 126, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 85, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 142, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 123, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 326, and thereupon signed the same in the presence of the House.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House:

- H. B. No. 181, by Ferry of Silver Bow.
- H. B. No. 267, by Committee on Revenue and Taxation.
- H. B. No. 310, by Rognlien.
- H. B. No. 329, by Shannon.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

- H. B. No. 78, by Moss.
- H. B. No. 112, by Stiefel.
- H. B. No. 149, by Committee on State Lands.
- H. B. No. 173, by Groene.
- H. B. No. 198, by Watson of Missoula, by request.
- H. B. No. 199, by Judiciary Committee.
- H. B. No. 254, by Committee on Townships and Counties.
- H. B. No. 259, by Fish and Game Committee.
- H. B. No. 277, by Metlen and Waite.
- H. B. No. 296, by Shannon.
- H. B. No. 301, by Harlen, by request.
- H. B. No. 304, by Byrne.
- H. B. No. 314, by Manning and Metlen.
- H. B. No. 335, by Marshall.
- H. J. R. No. 5, by Replogle, Holecek, White and Pilgeram.
- H. J. M. No. 5, by Nelstead.
- H. J. M. No. 6, by Besancon.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

- That H. B. No. 173 be concurred in.
- That H. B. No. 314 be concurred in.
- That H. B. No. 78 be concurred in.
- That H. B. No. 335 be concurred in.
- That H. B. No. 261 be concurred in.
- That H. B. No. 282 be concurred in.
- That H. B. No. 319 be concurred in.
- That H. B. No. 234 be concurred in.
- That H. B. No. 278 be concurred in.

That consideration of Sub. for H. B. No. 237 be passed for the day.
That H. B. No. 267 be not concurred in.
That H. B. No. 225 be concurred in.
That H. B. No. 301 be concurred in.
That H. B. No. 277 be concurred in.
That H. B. No. 149 be concurred in.
That H. B. No. 296 be concurred in.

That H. B. No. 258 be amended in the title by striking out the entire title and inserting in lieu thereof the following:

"A Bill for an Act Entitled: 'An Act relating to the manner of creating new school districts, providing the number of census children and the taxable valuation of property in the new district and the number of census children and the taxable valuation of property remaining in the old district, and relating to the manner of changing the boundaries of a school district and providing the taxable valuation of property in the district from which territory is taken, and amending Section 1024 of the Revised Codes of Montana of 1921 as amended by Chapter 138 of the Twentieth Legislative Assembly of Montana.'"

That H. B. No. 258 be amended in Section 1 by adding at the end of said Section 1 the following: "The boundaries of any district can be changed in the following manner, to-wit:

A majority of the resident freeholders residing in territory which is a part of any organized school district may present a petition in writing to the County Superintendent of Schools, asking that such territory be transferred to, or including in, any other organized district to which said territory is contiguous, provided, however that no territory within three miles of an established school in such district shall be so transferred and provided further that the taxable valuation (the percentage valuation upon which levies are made and taxes computed) of property in the district from which territory is taken shall not be reduced to less than \$75,000.00.

The petition shall describe the territory which it is proposed to transfer or include, and shall also state the reason for desiring such change, and the number of children of school age, if any, residing in the territory to be transferred or included.

The County Superintendent shall file said petition in his office immediately on receipt thereof, and shall give notice to the parties interested by posting notices at least ten days prior to the time appointed for considering said petition, one of which shall be in a public place in the territory which is proposed to be transferred or included, and one on the door of each schoolhouse in each district affected by the change, or if there be no schoolhouse in such district, then in some public place in such district or districts, and at the time stated in said notice for the consideration of such petition, which shall not be less than ten days nor more than thirty days after the date of filing such petition, he shall proceed to hear such petition, and if he deem it advisable and for the best interest of the territory proposed to be transferred or included, he shall grant said petition and make an order fixing the boundaries of the districts so changed, which order shall be final, unless an appeal be taken to the Board of County Commissioners of the county wherein such districts are located within thirty days thereafter, and upon hearing thereof the decision of said Board shall be final. All the papers, documents and records in the case shall be certified by the County Superintendent to the County Commissioners for their determination of the matter on appeal; provided, that lands lying contiguous to a district and not attached to any district shall be attached to an adjacent district by the County Superintendent of his own motion, and provided, further, that all districts shall consist of contiguous territory."

That H. B. No. 258 be further amended, in Section 2, by striking out of said Section 2 the words, "Section 1024 of the Revised Codes of Montana of 1921 and".

And as so amended, recommend said bill be concurred in.

That H. B. No. 112 be concurred in.
That H. B. No. 259 be concurred in.
That H. B. No. 228 be concurred in.
That H. B. No. 229 be concurred in.
That H. B. No. 288 be concurred in.
That Substitute for H. B. No. 264 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That consideration of H. B. No. 329 be indefinitely postponed.

That consideration of H. B. No. 83 be passed.

That H. B. No. 164 be concurred in.

That H. J. M. No. 6 be concurred in.

That H. J. R. No. 5 be concurred in.

That H. J. M. No. 5 be concurred in.

That H. B. No. 254 be concurred in.

That H. B. No. 304 be concurred in.

That H. B. No. 310 be not concurred in.

That consideration of H. B. No. 181 be indefinitely postponed.

That H. B. No. 199 be concurred in.

That H. B. No. 198 be concurred in.

That H. B. No. 184 be amended in Section 11 by striking out the word, "of", in line 3, printed bill, and inserting in line 3, printed bill, after the word, "sum," the words, "not more than"; and as so amended, recommend said bill be concurred in.

That H. B. No. 88 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Taxation: That H. B. No. 114 be concurred in, report adopted.

Committee on Taxation: That H. B. No. 161 be reported back without recommendation.

Committee on Taxation: That H. B. No. 208 be amended by striking out in line 18, original bill, the words and figures, "two dollars (\$2.00)"; and inserting in lieu thereof the words and figures, "five dollars (\$5.00)"; and as so amended, recommend said bill be concurred in, report adopted.

Committee on Taxation: That H. B. No. 328 be concurred in, report adopted.

Committee on Judiciary: That H. B. No. 158 be concurred in, report adopted.

Committee on Corporations other than Municipal: That H. B. No. 210 be not concurred in, on motion, placed on General File.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 184, by Judiciary Committee, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee of the Whole Amendment to H. B. No. 184:

Amend in Section 11 by striking out the word, "of", in line 3, printed bill, and inserting in line 3, printed bill, after the word, "sum," the words, "not more than."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 319, by Committee on Insurance, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments:

Senate Committee on Insurance Amendments to H. B. No. 319:

Amend in Section 1, lines 6 and 7, printed bill, by striking out the words, "State Auditor," and inserting in lieu thereof the words "Commissioner of Insurance."

Amend in Section 1, line 11, printed bill, by striking out the words, "State Auditor," as used in both instances, and inserting in lieu thereof the words, "Commissioner of Insurance."

Amend in Section 1, line 37, printed bill, by inserting following the word, "thereof," the following: "Any information, document, record, statement or thing required to be made or disclosed to the Commissioner of Insurance by this Act, shall be privileged and shall not be used as evidence in any action or proceeding instituted against the company or any representative thereof by or in behalf of any person who has been licensed under the provisions of this Act."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 261, by Committee on Public Health and Sanitary Affairs, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments: Senate Committee on Counties and Towns Amendments to H. B. No. 261:

Amend by inserting after the period following the word, "state," on line 25, original bill, being line 12, printed bill, the following: "It is further provided that when a public or main sewer also serves as a district sewer, the City Council may assess the property bordering or abutting upon such public sewer, either at the time of its construction or at any future time, for an amount equal to the estimated cost of such district sewer capable of accommodating such property."

Amend on line 28, original bill, being line 15, printed bill, by inserting after the word, "shall," the following: "Upon being petitioned by five per cent of the qualified electors who must be taxpaying freeholders, as shown by the last assessment for taxable purposes," further amend on line 28, by inserting after the word, "election," the following words, "or at any special election called for that purpose."

Amend on line 29, original bill, being line 15, printed bill, by inserting after the word, "vote", the following: "to the qualified electors who must be taxpaying freeholders."

Amend by striking out all of Section 3.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 164, by Committee on Economy, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Finance and Claims Amendment to H. B. No. 164:

Amend by inserting after the word, "treasury," in line 2 of Section 2, printed bill, the words, "in the General Fund."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 278, by Stiefel, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Education Amendment to H. B. No. 278:

Amend in Section 3, printed bill, by striking out all of lines 15, 16, 17 and 18.

Amend in Section 11, printed bill, by striking out the words, "provided that in any county," in line 4, and inserting in lieu thereof the words, "except in counties."

Amend in Section 11, line 9, by striking out the comma after the word "county" and inserting a period in lieu thereof; by striking out the words, "the levy may be fixed at such" in said line 9 and inserting in lieu thereof the words, "In such counties the levy shall not exceed a rate which."

Amend in Section 11, line 13, by striking out the period after the word "county," and adding after such word the following: "but in no case shall the maximum levy exceed ten mills."

Amend in Section 13, printed bill, by striking out in lines 7a and 8, the words, "County Commissioners", and inserting in lieu thereof the words, "Budget Supervisors."

Amend in Section 13, lines 11 and 12, by striking out the words, "County Commissioners," and inserting in lieu thereof the words, "Budget Supervisors"; in line 13 by striking out the words, "County Commissioners on the 4th Monday in July" and inserting in lieu thereof the words, "Budget Supervisors on the first Monday in August"; in lines 14 and 15 by striking out the words "County Commissioners," and inserting in lieu thereof the words "Budget Supervisors"; in lines 17 and 18 by striking out the words "Budget Board," and inserting in lieu thereof the words, "Board of Review"; in line 18 by striking out the words, "Budget Board," and inserting in lieu thereof the words, "Board of Review."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 234, by O'Connell, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Sanitary Affairs Amendments to H. B. No. 234:

Amend by inserting after the word, "the", the word "State," in line 3, printed bill.

Amend by striking out, beginning in line 7, printed bill, all of subdivision "b", and substituting in lieu thereof; "a system of ventilation which shall in the judgment of said State Board of Health be adequate to produce satisfactory conditions of air in the school room at all times and under all conditions."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 282, by Committee on Education, was this day read three several times and concurred in as amended, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Education Amendment to H. B. No. 282:

Amend in Section 1, lines 12 and 13, by striking out the words, "elementary and high", and after the sentence ending with "year" in line 29 add the sentence: "The Board of County Commissioners shall thereupon levy a special tax for such purposes, not exceeding ten mills per dollar on the taxable property of the district, such tax to be computed on the same percentage as taxes for other purposes are computed, and to be levied and collected at the same time and in the same manner as other taxes are levied and collected for county and school purposes."

Respectfully,

J. F. CONE,
Secretary.

THIRD READING OF SENATE BILLS

Senate Bill No. 36, by Keeley, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Doran, Ecton, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Groene (Fergus), Harrington, Jensen, Knowles, Kruse, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Miller (Lincoln), Mulholland, Nass, O'Connell, Parker (Flathead), Pierson, Porter, Quamme, Rognlien, Roll, Rolph, Schuster, Setzer, Somerville, Spangler, Stephens (McCone), Stiefel, Trenne, Ueland, Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 56.

Noes: Blankenbaker, Anderson, Conner, Cusker, Daugherty, Doe, Ferry, Findlater, Freed, Givens, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecck, Kuhl, Larsen, Miller (Big Horn), Nutting, O'Shea, Parker (Broadwater), Ragen, Replogle, Snidow, Sparling, Stevens (Wheatland), Strange, White, Woodcock. Total 30.

Absent and not voting: Acher, Duffy, Lewis, Logan, Mason, Moss, Nelstead, Pilgeram, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Sullivan, Waite, Watson (Meagher). Total 15.

The Speaker: Fifty-six have voted "aye", 30 have voted "no"; Senate Bill No. 36 has been concurred in by the House.

Senate Bill No. 172, by Ruffcorn, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Harlen, Holecek, Knowles, Kruse, Kuhl, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Porter, Quamme, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 70.

Noes: Blankenbaker, Cusker, Findlater, Hagerty, Harrington, Hilger, Larsen, Miller (Big Horn), Miller (Lincoln), Ragen, Snidow, Woodcock. Total 12.

Absent and not voting: Duffy, Groene (Fergus), Haight, Jensen, Lewis, Love, Miles, Moss, Nelstead, Pierson, Pilgeram, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Stiefel, Sullivan, Waite, Watson (Meagher). Total 19.

The Speaker: Seventy-one have voted "aye," 12 have voted "no"; Senate Bill No. 172 has been concurred in by the House.

Senate Bill No. 62, introduced by Reed, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Quamme, Ragen, Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Holecek, Pilgeram, Ueland. Total 3.

Absent and not voting: Campbell, Duffy, Fowler, Freed, Haight, Knowles, Lewis, Mason, Nelstead, Pierson, Porter, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rolph, Shannon, Sullivan, Waite, Watson (Meagher). Total 19.

The Speaker: Seventy-nine have voted "aye," 3 have voted "no"; Senate Bill No. 62 has been concurred in by the House.

The Speaker gave notice that he was about to sign Senate Bill No. 44, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 92, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 13, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 187, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Joint Resolution No. 3, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 137, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 167, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 143, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Joint Resolution No. 5, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Joint Memorial No. 14, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 117, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 200, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 73, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 193, and thereupon signed the same in the presence of the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Replogle of Fergus in the Chair.

Committee arose.

House resumed. Mr. Speaker Pro Tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bills Nos. 160 and 114, respectfully report and recommend as follows:

That Senate Bill No. 160 be concurred in.

That Senate Bill No. 114 be amended as follows: Amend the title to read as follows: "An Act requiring public utilities to file an annual statement of the value of all property for rate making purposes and prescribing the method of assessing such properties for taxation."

Amend Section 1 by striking out entire section and inserting in lieu thereof, the following: "Section 1. Every public utility as defined in Section 3881 of the Revised Codes of Montana of 1921, shall file on or before March 1 of each year with the Public Service Commission, in such form as the Commission may require, a statement of the full and true value of all its property used and useful within the state for rate making purposes."

Insert a new section to be known as Section 2, to read as follows: "Section 2. The Board of Equalization and the County Assessors of the various counties of the state shall not assess the property, both real and personal, of any public utility as defined in Section 3881, at a less value for taxation purposes than its value submitted for rate making purposes."

Renumber Section 2 as Section 3; renumber Section 3 as Section 4; and as so amended that the bill be concurred in.

REPLOGLE, Chairman."

On motion by Replogle, report adopted.

MOTIONS AND RESOLUTIONS

Marshall: Move the House now reconsider its action on Senate Bill No. 122. Seconded. Defeated.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 326, 123, 142, 85, 111, 62, 221, 241, 66, 197, 120, 250, 182, Sub. 127, 126, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:00 o'clock A. M., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

"Mr. President and Mr. Speaker: We, your joint conference committee, having under consideration Senate amendments to House Bill No. 73, respectfully report as follows: That Senate amendments to House Bill No. 73 be concurred in.

HOLT,
DANIELSEN,
COOPER,

For the Senate.

BREITENSTEIN,
WATSON (Missoula),
GRABOW,

For the House.

Breitenstein: Move the adoption of the report. Seconded.

A roll call was taken, on the question of the adoption of the report of the conference committee, which resulted in the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Ecton, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Logan, Love, McCarvel, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Replogle, Rognlien, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Waite, Watson (Missoula), Whaley, Wigal. Total 71.

Noes: Freed, Green (Dawson), Haight, Lewis, O'Connell, Setzer, Trenne, Woodcock. Total 8.

Absent and not voting: Blankenbaker, Cusker, Doran, Duffy, Ferry, Groene (Fergus), Knowles, Kruse, Larsen, Lott, McDermott, Metlen, Nestead, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Roll, Shannon, Sullivan, Watson (Meagher), Mr. Speaker. Total 21.

The following "passed": White. Total 1.

The Speaker Pro Tem: Seventy-one have voted "aye," 8 have voted "no"; the report of the conference committee has been adopted by the House.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion duly seconded and carried, requests the House for the return of House Bill No. 319, for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the House grant the request of the Senate for the return of House Bill No. 319. Seconded. Carried.

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of Senate Bill No. 111, for further consideration, was this day, on motion, granted, and bill is herewith returned.

Respectfully,

J. F. CONE,
Secretary.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: Your special committee appointed to consider purchasing two half blocks of land adjoining the Capitol, report as follows:

These blocks comprise land adjacent to the Capitol grounds. The acquisition of this property would furnish a site for future state buildings and would prevent structures being erected which might be unsightly and unbecoming.

This land could be acquired at the present time for the sum of eleven hundred dollars (\$1100), distributed as follows: One hundred dollars (\$100) to the County of Lewis and Clark for their interest in these two blocks acquired by tax deed, and one thousand dollars (\$1000) to private owners for five lots under individual ownership.

Believing that acquiring this land would be of advantage to the State of Montana on the terms offered, we recommend the acquisition of this land, as soon as funds are available.

RAGEN,
MARSHALL."

On motion by Ragen, report adopted.

Besancon: Move the House now recess until 2:00 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed, at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 343, a Bill for an Act entitled: "An Act to require the State Board of Examiners of the State of Montana to authorize claims for the remaining period of the biennium not to exceed 90% of the balances of the remaining appropriations for any board, department, commission or institution that receives its appropriation from the general fund," respectfully report and recommend that House Bill No. 343 do pass.

SHANNON, Chairman."

On motion by Shannon, report adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 132, introduced by Thien, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus),

Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nass, Nutting, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 80.

Noes: Goodwin, Miller (Big Horn), Woodcock. Total 3.

Absent and not voting: Arnold, Ballard, Duffy, Fitzstephens, Holecek, Knowles, Larsen, Moss, Nelstead, O'Connell, Parker (Flathead), Ragen, Ralston, Rearden (Cascade), Schuster, Spangler, Sullivan, White. Total 18.

The Speaker: Eighty have voted "aye," 3 have voted "no"; Senate Bill No. 182 has been concurred in by the House.

Senate Bill No. 106, introduced by Committee on Agriculture, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Shea, Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Rolph, Schuster, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 80.

Noes: Jensen. Total 1.

Absent and not voting: Arnold, Ballard, Duffy, Findlater, Fitzstephens, Freed, Knowles, Kruse, Miller (Big Horn), Nelstead, O'Connell, Parker (Flathead), Pierson, Rearden (Cascade), Roll, Setzer, Shannon, Spangler, Sullivan, Woodcock. Total 20.

The Speaker: Eighty have voted "aye," 1 has voted "no"; Senate Bill No. 106 has been concurred in by the House.

Senate amendments to House Bill No. 194, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Beadle, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Mason, Metlen, Miles, Miller (Lincoln), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 80.

Noes: Annin. Total 1.

Absent and not voting: Arnold, Ballard, Besancon, Duffy, Freed, Knowles, Larsen, Manning, Marshall, Miller (Big Horn), Moss, Nelstead, Parker (Flathead), Pierson, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Spangler, Sullivan. Total 19.

The following passed his vote: Doran. Total 1.

The Speaker: Eighty have voted "aye," 1 has voted "no"; Senate amendments to House Bill No. 194 have been concurred in by the House.

Senate amendments to House Bill No. 31, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Baggord, Beadle, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harrington, Hilger, Jensen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Porter, Quamme, Ragen, Ralston, Reardon (Deer Lodge), Rognlien, Roll, Schuster, Shannon, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 73.

Noes: Byrne, Conner, Daugherty, Groene (Fergus), Haight, Holecek, Kruse, Kuhl, Replogle, Rolph, Setzer, Snidow. Total 12.

Absent and not voting: Acher, Arnold, Ballard, Besancon, Duffy, Freed, Harlen, Knowles, Larsen, Nelstead, Parker (Broadwater), Pierson, Rearden (Cascade), Spangler, Sullivan, Watson (Meagher). Total 16.

The Speaker: Seventy-three have voted "aye," 12 have voted "no"; Senate amendments to House Bill No. 31 have been concurred in by the House.

Senate amendments to House Bill No. 248, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Baggord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Doran, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 85.

Noes: Cusker, Kruse. Total 2.

Absent and not voting: Arnold, Conner, Duffy, Ferry, Manning, Nelstead, Pierson, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Spangler, Sparling, Sullivan, Watson (Meagher). Total 14.

The Speaker: Eighty-five have voted "aye," 2 have voted "no"; Senate amendments to House Bill No. 248 have been concurred in by the House.

Senate amendments to House Bill No. 186, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Baggord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Harrington, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Replogle, Rognlien, Roll, Schuster, Setzer, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Sullivan, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: Cusker, Haight, Hilger, Ragen, Trenne. Total 5.

Absent and not voting: Arnold, Duffy, Ferry, Grabow, Groene (Fergus), Harlen, Larsen, Nelstead, Parker (Broadwater), Pierson, Rearden (Cascade), Rolph, Shannon, Snidow, Spangler, Stiefel, Watson (Meagher). Total 17.

The Speaker: Seventy-nine have voted "aye", 5 have voted "no"; Senate Amendments to House Bill No. 186 have been concurred in by the House.

Senate Bill No. 160, introduced by Carroll, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Balgord, Ballard, Beadle, Besancon, Bjorneby, Breitenstein, Ecton, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Harlen, Kruse, Harrington, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nass, O'Connell, Parker (Flathead), Pilgeram, Replogle, Rognlien, Rolph, Schuster, Setzer, Sparling, Stephens (McCone), Stiefel, Sullivan, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White. Total 49.

Noes: Anderson, Annin, Arnold, Blankenbaker, Chapman, Conner, Cusker, Daugherty, Doe, Ferry, Findlater, Freed, Green (Dawson), Groene (Fergus), Hagerty, Haight, Hilger, Holecsek, Jensen, Knowles, Kuhl, Lewis, Manning, Mason, Miller (Big Horn), Nutting, O'Shea, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Shannon, Snidow, Somerville, Spangler, Stevens (Wheatland), Strange, Trenne, Wigal, Woodcock, Mr. Speaker. Total 43.

Absent and not voting: Byrne, Campbell, Doran, Duffy, Nelstead, Parker (Broadwater), Pierson, Reardon (Deer Lodge), Roll. Total 9.

The Speaker: Forty-nine have voted "aye", 43 have voted "no"; Senate Bill No. 160 has been concurred in by the House.

Senate Bill No. 114, introduced by Kane, having been read three several times, title and history agreed to, was not concurred in by the House, the vote being as follows:

Ayes: Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Chapman, Conner, Daugherty, Fitzstephens, Fowler, Freed, Freudenstein, Green (Dawson), Haight, Hilger, Holecsek, Kruse, Kuhl, Lewis, Love, Manning, Marshall, Miles, Miller (Big Horn), Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Pilgeram, Ragen, Replogle, Rolph, Setzer, Snidow, Sparling, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal. Total 47.

Noes: Abrahamson, Annin, Arnold, Blankenbaker, Breitenstein, Campbell, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Knowles, Larsen, Logan, Lott, McCarvel, McDermott, McElwain, Mason, Metlen, Miller (Lincoln), Moss, Parker (Broadwater), Porter, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Shannon, Somerville, Spangler, Stiefel, Sullivan, Waite, Watson (Meagher), Woodcock, Mr. Speaker. Total 47.

Absent and not voting: Acher, Byrne, Duffy, Nelstead, Pierson, Quamme, Schuster. Total 7.

The Speaker: Forty-seven have voted "aye", 47 have voted "no"; Senate Bill No. 114 has not been concurred in by the House.

Senate Amendments to House Bill No. 23, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Daugherty, Doe, Doran, Ecton, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss,

Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 76.

Noes: Conner, Cusker, Findlater, Hagerty, Harlen, Harrington, Hilger, Jensen, Holecek, McDermott, Miller (Big Horn), Mulholland, Ralston, Stephens (McCone), Waite. Total 15.

Absent and not voting: Acher, Byrne, Duffy, Ferry, Nelstead, Pierson, Rearden (Cascade), Reardon (Deer Lodge), Roll. Total 9.

The following passed their vote: Woodcock. Total 1.

The Speaker: Seventy-six have voted "aye", 15 have voted "no"; Senate Amendments to House Bill No. 23 have been concurred in by the House.

MOTIONS AND RESOLUTIONS

Shannon: Move that House Bill No. 343 be considered correctly printed and placed on General Orders. Seconded. Carried.

Beadle: Move the House now reconsider its action on Senate Bill No. 102, and that the Bill be placed back on General Orders. Seconded. Carried.

Nutting: Move that the House now reconsider its action on Senate Bill No. 179, and that the Bill be placed back on General Orders. Seconded. Carried.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Replogle of Fergus in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 65, Senate Amendments to House Bill No. 97, 283, 184, 261, 164, 278, 234, 282, H. B. No. 343, Senate Bill No. 102, Senate Amendments to House Bill No. 264, 258.

Respectfully report and recommend as follows:

That Senate Bill No. 65, be not concurred in.

That Senate Amendments to House Bill No. 97 be concurred in.

That Senate Amendments to House Bill No. 283 be not concurred in, but that a conference be requested.

That Senate Amendment to House Bill No. 184 be concurred in.

That Senate Amendments to House Bill No. 261 be concurred in.

That Senate Amendment to House Bill No. 164 be concurred in.

That Senate Amendments to House Bill No. 278 be not concurred in, but that a conference be requested.

That Senate Amendments to House Bill No. 234 be concurred in.

That Senate Amendment to House Bill No. 282 be concurred in.

That House Bill No. 343 do pass.

That Senate Bill No. 102 be amended as follows: By inserting in line 29 of the original bill, in the amendment, after the words "per year" and before the word "and" the following words "and mileage as above provided," and that as so amended the bill be concurred in;

That Senate Amendments to House Bill No. 264 be concurred in;
 That Senate Amendments to House Bill No. 258 be concurred in;
 REPLOGLE, Chairman."
 On motion by Replogle, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 162, A Bill for an Act Entitled: "An Act to amend Section 86, of Chapter 148, of the Session Laws of the Twenty-second Legislative Assembly of the State of Montana of 1931, relating to finance and taxation for county and district high schools and providing a maximum tax that may be levied for county and district high school purposes," respectfully report and recommend as follows:

That Senate Bill No. 162 be not concurred in.

FREED, Chairman."

On motion by Freed, report adopted.

"Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 163, A Bill for an Act Entitled: "An Act to amend Section 933, Revised Codes of Montana, 1921, relating to the Official Staff of the State Superintendent of Public Instruction," respectfully report and recommend that Senate Bill No. 163 be not concurred in.

FREED, Chairman."

On motion by Freed, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 25, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the request of the House for the return of Senate Bill No. 16, for further consideration, was this day, on motion, granted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
 Secretary.

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title and history agreed to, and bills are herewith transmitted to the House for concurrence:

S. B. No. 30 by Thien,

S. B. No. 151, by Campbell and Larson,

Respectfully,

J. F. CONE,
 Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bills were this day introduced, without objection, after the fiftieth day, read first and second times, and referred to committees:

S. B. No. 151, introduced by Campbell and Larson: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a Section to be known as Section 8, authorizing the Legislature, by a general or special law, to provide for

the abandonment, abolishment and termination, or consolidation, of counties and for the termination of the terms of office of officers in counties so abandoned, abolished, terminated or consolidated." Committee on Constitutional Amendments.

S. B. No. 30, introduced by Thien: A Bill for an Act Entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article V of the Constitution of the State of Montana, by adding thereto a section to be known as Section 46, providing for a State Budget and the manner in which appropriations shall be made by the Legislative Assembly." Committee on Constitutional Amendments.

MOTIONS AND RESOLUTIONS

O'Connell: Move the House now reconsider its action on House Bill No. 65. Seconded. Defeated.

Watson of Meagher: Move that the Senate be requested to return Senate Bill No. 179 to the House for further consideration. Seconded. Carried.

Besancon: Move the House now adjourn until 10:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

FIFTY-NINTH DAY

House of Representatives,
Helena, Montana, March 1, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call, all members present.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Substitute Senate Bill No. 20.

A Bill for an Act Entitled: "An Act providing for the time within which redemption may be made from tax sales of property sold to counties, and permitting payment of taxes determined subsequent to the year of sale, amending Section 2233, Montana Revised Codes, 1921," respectfully report and recommend as follows: That Substitute Senate Bill No. 20, be not concurred in.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration Senate Bill No. 21: A Bill for an Act Entitled: "An Act to amend Section 1 of Chapter 92, Session Laws of 1927, being an Act Entitled: "An Act relating to the giving of notice on application for tax deeds by counties, cities and towns, and legalizing and validating tax deeds heretofore issued to counties, cities and towns." Respectfully report and recommend as follows:

That Senate Bill No. 21 be concurred in.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 254, 198, 112, 296, 122, 228, 194, 288, 277, 304, 259, 301, 149, 173, 269, 199, 31, 225, House Joint Memorials Nos. 5 and 6 and House Joint Resolution No. 5.

LARSEN, Chairman."

Without objection, report adopted.

MOTIONS AND RESOLUTIONS

Shannon: Move that House Bill No. 343 be considered correctly engrossed and placed on Third Reading. Seconded. Carried.

Lott: Move that the House now reconsider its action on Senate Bill No. 114. Seconded.

A call of the House was demanded. All members present except Sullivan of Silver Bow, excused on account of illness. On motion, the absentee was excused, and the further proceedings under the call of the House were dispensed with.

A roll call was demanded, and resulted in the following vote:

Ayes: Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjorneby, Byrne, Chapman, Conner, Daugherty, Duffy, Fowler, Freed, Green (Dawson), Haight, Hilger, Holecek, Kruse, Kuhl, Lewis, Lott, Love, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Quamme, Ragen, Replogle, Rognlien, Rolph, Schuster, Snidow, Sparling, Stevens (Wheatland), Strange, Ueland, Watson (Missoula), Whaley, White, Wigal. Total 50.

Noes: Abrahamson, Annin, Arnold, Blankenbaker, Breitenstein, Campbell, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Knowles, Larsen, Logan, McCarvel, McDermott, McElwain, Mason, Metlen, Moss, Parker (Broadwater), Pierson, Pilgeram, Porter, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Roll, Setzer, Shannon, Somerville, Spangler, Stephens (McCone), Stiefel, Waite, Watson (Meagher), Woodcock, Mr. Speaker. Total 50.

Absent and not voting: Sullivan. Total 1.

The Speaker: Fifty have voted "aye", 50 have voted "no," the motion is lost.

The Speaker gave notice that he was about to sign House Bill No. 122, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 296, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 112, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 198, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 254, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 199, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Joint Memorial No. 5, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 269, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 173, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 149, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 228, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 301, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Joint Memorial No. 6, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 259, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 304, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 277, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 64, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 72, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 100, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 118, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 126, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 142, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 166, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 175, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 184, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 188, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 199, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 288, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 194, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Joint Resolution No. 5, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 31, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 225, and thereupon signed the same in the presence of the House.

THIRD READING OF SENATE BILLS

Senate Bill No. 122, introduced by Committee on State and County Economies, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Conner, Cusker, Doran, Fitzstephens, Fowler, Freed, Givens, Goodwin, Green (Dawson), Haight, Harlen, Harrington, Holecek, Jensen, Knowles, Kruse, Kuhl, Logan, Lott, McDermott, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Porter,

Ragen, Ralston, Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Spangler, Stephens (McCone), Stevens (Wheatland), Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Woodcock, Mr. Speaker. Total 64.

Noes: Campbell, Doe, Duffy, Ecton, Ferry, Findlater, Freudenstein, Grabow, Hagerty, Hilger, Larsen, Love, McCarvel, McElwain, Manning, Miles, Mulholland, Nass, O'Connell, Pilgeram, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Rolph, Somerville, Stiefel, Wigal. Total 27.

Absent and not voting: Arnold, Chapman, Daugherty, Groene (Fergus), Lewis, Moss, Parker (Flathead), Shannon, Sparling, Sullivan. Total 10.

The Speaker: Sixty-four have voted "aye", 27 have voted "no", S. B. No. 102 has been concurred in by the House.

Senate Amendments to House Bill No. 97, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rognlien, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Arnold, Ballard, Fowler, Jensen, Lewis, Moss, Pierson, Porter, Ralston, Roll, Rolph, Schuster, Setzer, Shannon, Sullivan, Watson (Meagher). Total 16.

The following "passed": Watson (Missoula). Total 1.

The Speaker: Eighty-four have voted "aye", none have voted "no"; Senate Amendments to House Bill No. 97 have been concurred in by the House.

Senate Amendments to House Bill No. 184, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Cusker, Doran, Duffy, Ecton, Ferry, Finlater, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Knowles, Kruse, Larsen, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, Parker (Broadwater), Pilgeram, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 67.

Noes: Balgord, Conner, Daugherty, Freed, Givens, Haight, Holecek, O'Shea, Setzer, Strange, Trenne, Waite. Total 12.

Absent and not voting: Arnold, Doe, Fitzstephens, Jensen, Kuhl, Lewis, McElwain, Mason, Metlen, Moss, O'Connell, Parker (Flathead), Pierson, Porter, Ralston, Reardon (Deer Lodge), Roll, Rolph, Schuster, Shannon, Sullivan, Watson (Meagher). Total 22.

The Speaker: Sixty-seven have voted "aye", 12 have voted "no"; Senate Amendments to House Bill No. 184 have been concurred in by the House.

Senate Amendments to House Bill No. 261, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Duffy, Ecton, Findlater, Fowler, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Hilger, Holecek, Knowles, Kruse, Larsen, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nelstead, Parker (Flathead), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 74.

Noes: Cusker, Ferry, Goodwin, Harrington, McDermott, Mulholland, Total 6.

Absent and not voting: Arnold, Doran, Fitzstephens, Groene (Fergus), Jensen, Lewis, Logan, Metlen, Moss, O'Connell, Parker (Broadwater), Pierson, Porter, Reardon (Deer Lodge), Rognlien, Sullivan, Watson (Meagher), Woodcock. Total 18.

The following "passed": Nutting, O'Shea, Kuhl. Total 3.

The Speaker: Seventy-four have voted "aye", 6 have voted "no"; Senate Amendments to House Bill No. 261 have been concurred in by the House.

Senate Amendments to House Bill No. 164, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Freed, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Waite, Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Arnold, Ballard, Fitzstephens, Fowler, Freudenstein, Groene (Fergus), Harlen, Jensen, Lewis, Logan, Metlen, Miller (Lincoln), Moss, Pierson, Porter, Reardon (Deer Lodge), Rognlien, Shannon, Sullivan, Ueland, Watson (Meagher), Watson (Missoula). Total 22.

The Speaker: Seventy-nine have voted "aye"; none have voted "no"; Senate Amendments to House Bill No. 164 have been concurred in by the House.

Senate Amendments to House Bill No. 234, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Holecek, Logan, Lott, Love, McDermott, McElwain, Manning, Mason, Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, Parker (Flathead), Ralston, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Whaley, Wigal, Woodcock, Mr. Speaker. Total 67.

Noes: Hilger, Kruse, Kuhl, Larsen, McCarvel, Marshall, Miles, Miller (Big Horn), O'Shea, Pilgeram, Quamme, Ragen, Stevens (Wheatland), Waite, Watson (Missoula). Total 15.

Absent and not voting: Arnold, Ballard, Fitzstephens, Fowler, Groene (Fergus), Jensen, Knowles, Lewis, Metlen, Moss, Parker (Broadwater), Pierson, Porter, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Sullivan, Watson (Meagher), White. Total 19.

The Speaker: Sixty-seven have voted "aye", 15 have voted "no"; Senate Amendments to House Bill No. 234, have been concurred in by the House.

Senate Amendments to House Bill No. 282, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Doran, Duffy, Ferry, Findlater, Freed, Freudenstein, Givens, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Lincoln), Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Whaley, Wigal. Total 66.

Noes: Blankenbaker, Conner, Cusker, Hilger, Miles, Miller (Big Horn), Ragen, Waite, Watson (Missoula), Woodcock, Mr. Speaker. Total 11.

Absent and not voting: Arnold, Balgord, Ballard, Ecton, Fitzstephens, Fowler, Goodwin, Harlen, Holecek, Jensen, Knowles, Lewis, Metlen, Moss, Nass, O'Connell, Pierson, Porter, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Sullivan, White. Total 24.

The Speaker: Sixty-six have voted "aye", 11 have voted "no"; Senate Amendments to House Bill No. 282 have been concurred in by the House.

Senate Amendments to Sub. House Bill No. 264, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Annin, Balgord, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Duffy, Ecton, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Kruse, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Miles (Big Horn), Miller (Lincoln), Mulholland, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Quamme, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Wigal, Mr. Speaker. Total 59.

Noes: Anderson, Blankenbaker, Cusker, Daugherty, Doe, Ferry, Findlater, Harlen, Harrington, Hilger, McDermott, Nass, Nutting, O'Connell, Ragen, Shannon, Stevens (Wheatland), Waite, Whaley, Woodcock. Total 20.

Absent and not voting: Acher, Arnold, Ballard, Doran, Fitzstephens, Fowler, Freudenstein, Holecek, Jensen, Knowles, Larsen, Lewis, Metlen, Moss, Pierson, Porter, Ralston, Reardon (Deer Lodge), Spangler, Sullivan, White. Total 21.

The following "passed": Kuhl. Total 1.

The Speaker: Fifty-nine have voted "aye", 20 have voted "no"; Senate Amendments to Sub. House Bill No. 264 have been concurred in by the House.

Senate Amendments to House Bill No. 258, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Doe, Duffy, Findlater, Fowler, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harrington, Kruse, Larsen, Logan, Lott, Love, McCarvel, Marshall, Mason, Miles, Miller (Lincoln), Mulholland, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Rearden (Cascade), Roll, Rolph, Setzer, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Ueland, Watson (Meagher), Whaley, Mr. Speaker. Total 52.

Noes: Conner, Cusker, Freed, Haight, Hilger, Holecek, Lewis, McElwain, Manning, Miller (Big Horn), Nelstead, O'Connell, Quamme, Ragen, Replogle, Schuster, Snidow, Stevens (Wheatland), Strange, Trenne, Waite, Watson (Missoula), Wigal, Woodcock. Total 24.

Absent and not voting: Arnold, Daugherty, Doran, Ecton, Ferry, Fitzstephens, Breitenstein, Groene (Fergus), Harlen, Jensen, Knowles, McDermott, Metlen, Moss, Nass, Nutting, O'Shea, Pierson, Ralston, Reardon (Deer Lodge), Rognlien, Shannon, Sullivan. Total 23.

The following "passed": Kuhl, White. Total 2.

The Speaker: Fifty-two have voted "aye", 24 have voted "no"; Senate Amendments to House Bill No. 258 have been concurred in by the House.

THIRD READING OF HOUSE BILLS

House Bill No. 343, introduced by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Doran, Duffy, Ecton, Findlater, Givens, Grabow, Green (Dawson), Hagerty, Harlen, Harrington, Hilger, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Miles, Miller (Big Horn), Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Rognlien, Roll, Schuster, Setzer, Shannon, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 68.

Noes: Beadle, Blankenbaker, Conner, Cusker, Ferry, Freed, Goodwin, Groene (Fergus), Haight, Holecek, McDermott, Miller (Lincoln), O'Connell, Replogle, Rolph, Snidow, Stevens (Wheatland), Strange. Total 18.

Absent and not voting: Arnold, Fitzstephens, Fowler, Freudenstein, Jensen, Knowles, Mason, Metlen, Moss, Pierson, Ralston, Reardon (Deer Lodge), Sullivan, White. Total 14.

The following "passed": Woodcock. Total 1.

The Speaker: Sixty-eight have voted "aye", 18 have voted "no"; House Bill No. 343 has passed the House.

MOTIONS AND RESOLUTIONS

Mr. Speaker: We, your Committee on Resolutions, respectfully beg leave to report the following resolution:

WHEREAS, Almighty God in His infinite wisdom has seen fit to remove from our midst the Honorable Byron E. Cooney, late of Silver Bow County.

Honorable George S. Martin, late of Glacier County.

Honorable Chas. F. Murphy, late of Deer Lodge County.

Honorable Dr. LeRoy Southmayd, late of Cascade County, and

Honorable Thos. J. Troy, late of Hill County.

All former members of this body, and

WHEREAS, the Honorable Byron E. Cooney, Honorable Geo. S. Martin, Honorable Chas. F. Murphy, Honorable Dr. LeRoy Southmayd and Honorable Thos. J. Troy, were valuable members of this assembly and their honesty of purpose, integrity of character and rare judgment, added to the deliberations of this Assembly, and in their death the State of Montana has lost valuable citizens.

NOW THEREFORE BE IT RESOLVED: That the House of Representatives of the State of Montana, in session assembled, do hereby extend to the surviving members of their families, our sincere sympathy, and express our sorrow and regret at their untimely passing; and

BE IT FURTHER RESOLVED: That copies of this resolution be recorded in the Journal of the House and conveyed to the surviving members of the families of these deceased members.

(Signed)

GOODWIN,
NELSTEAD,
RALSTON,
GRABOW.

Goodwin: Move that the Resolution be adopted, that it be spread at length upon the pages of the Journal, and that a copy be sent to the families of each of the deceased members. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 40, introduced by Jergensen and Staggs: A Bill for an Act Entitled: "An Act to amend Sections 3779 and 3783 of the Revised Codes of the State of Montana, as amended by Chapter 9 of the Session Laws of the Twentieth Legislative Assembly of 1927; and repealing Sections 3780, 3784, 3786, 3787, 3788 and 3790 of the Revised Codes of the State of Montana of 1921 as amended by Chapters 9 and 90 of the Twentieth Legislative Assembly of 1927 relating to the Board of Railroad Commissioners in the State of Montana, defining their duties, providing for officers and employees and the salaries thereof." Respectfully report and recommend as follows:

That S. B. No. 40 be not concurred in.

GOODWIN, Chairman."

Goodwin: Move the report be adopted. Seconded.

Ueland: As a substitute motion, move that Senate Bill No. 40 be placed on General Orders. Seconded. Defeated.

The motion of Goodwin was then put to vote and carried.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Joint Memorials Nos. 5 and 6 and House Joint Resolution No. 5, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:35 o'clock a. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 254, 199, 198, 112, 296, 122, 228, 194, 288, 277, 304, 259, 301, 149, 173, 269, do hereby report that said bills, together with

a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:35 o'clock a. m. Delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 267 for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the request of the Senate be granted. Seconded. Carried.

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return House Bill No. 310 to the Senate, for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the request of the Senate be granted. Seconded. Carried.

Besancon: Move that futher communications from the Senate be considered read at length, and the Journal so show. Seconded. Carried.

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House.

H. B. No. 88, by Committee on Education.

H. B. No. 225, by Committee on State Lands.

H. B. No. 228, by Judiciary Committee.

H. B. No. 229, by Judiciary Committee.

H. B. No. 288, by Kruse.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 258 was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments:

Senate Committee of the Whole amendments to H. B. No. 258: Amend title to read:

"A Bill for an Act Entitled: 'An Act relating to the manner of creating new school districts, providing the number of census children and the taxable valuation of property in the new district and the number of census children and the taxable valuation of property remaining in the old district, and relating to the manner of changing the boundaries of a

school district and providing the taxable valuation of property in the district from which territory is taken, and amending Section 1024 of the Revised Codes of Montana of 1921 as amended by Chapter 138 of the Twentieth Legislative Assembly of Montana.’”

Amend in Section 1 by adding at the end of said Section 1 the following:

“The boundaries of any district can be changed in the following manner, to-wit: A majority of the resident freeholders residing in territory which is a part of any organized school district may present a petition in writing to the County Superintendent of Schools, asking that such territory be transferred to, or included in, any other organized district to which said territory is contiguous, provided, however, that no territory within three miles of an established school in such district shall be so transferred and provided further that the taxable valuation (the percentage valuation upon which levies are made and taxes computed) of property in the district from which territory is taken shall not be reduced to less than \$75,000.00.

The petition shall describe the territory which it is proposed to transfer to include, and shall also state the reason for desiring such change, and the number of children of school age, if any, residing in the territory to be transferred or included.

The County Superintendent shall file said petition in his office immediately on receipt thereof, and shall give notice to the parties interested by posting notices at least ten days prior to the time appointed for considering said petition, one of which shall be in a public place in the territory which is proposed to be transferred or included, and one on the door of each schoolhouse in each district affected by the change, or if there be no schoolhouse in such district, then in some public place in such district or districts, and at the time stated in said notice for the consideration of such petition, which shall not be less than ten days nor more than thirty days after the date of filing such petition, he shall proceed to hear such petition, and if he deem it advisable and for the best interest of the territory proposed to be transferred or included, he shall grant said petition and make an order fixing the boundaries of the districts so changed, which order shall be final, unless an appeal be taken to the Board of County Commissioners of the County wherein such districts are located within thirty days thereafter, and upon hearing thereof the decision of said Board shall be final. All the papers, documents, and records in the case shall be certified by the County Superintendent to the County Commissioners for their determination of the matter on appeal; provided, that lands lying contiguous to a district and not attached to any district shall be attached to an adjacent district by the County Superintendent of his own motion, and provided, further, that all districts shall consist of contiguous territory.”

Amend Section 2 by striking from said Section the words, “Section 1024 of the Revised Codes of Montana of 1921, and”.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. H. B. No. 264, by Committee on Education, was this day read three several times, and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments:

Senate Committee on Education amendments to Sub. H. B. No. 264:

Amend in line 23, page 1, engrossed bill, by striking out the words, "of whom ten (10) shall be"; amend in line 31, page 1, engrossed bill, by inserting the words, "for a term of two years," after the word, "vacancies."

Respectfully,

J. F. CONE,
Secretary.

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence this day by the Senate, and bills are herewith returned to the House:

H. B. No. 93, by Goodwin, Freudenstein, Beadle and Harrington.

H. B. No. 210, by Fowler.

H. B. No. 226, by Givens.

H. B. No. 253, by Committee on State Lands.

Respectfully,

J. F. CONE,
Secretary.

Helena, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration Special Order of Business on General File, respectfully report and recommend as follows:

That the enacting clause be stricken from H. B. No. 203.

That H. B. No. 204 be amended in line 2 of Section 2 by striking out the word "six," and inserting in lieu thereof the word, "sixty-five"; and as so amended recommend that further consideration of said H. B. No. 206 be passed for the day.

That consideration of H. B. No. 206 be passed for the day.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 328 be concurred in.

That H. B. No. 83 be amended in Section 1 by striking out in Line 72 all of the words and figures in this line. Be amended in Section 2 by striking out in line 162 all of the words and figures in this line. Be amended in Section 4 by inserting in line 190 after the word, "Montana", the following words, "It is further provided that the appropriations contained herein shall not be used for salary and expenses of a Chancellor of the University of Montana." And as so amended, recommend said bill be concurred in.

That H. B. No. 166 be amended in Section 1 by striking out in line 1 of Section 1, as amended, the word, "seven", and inserting in lieu thereof the word, "eight"; be further amended in Section 1, as amended, by inserting in line 7 after the word, "establishments," the following words; "excepting cigar stores and confectionery stores and gasoline service stations," and by placing a comma after said word, "establishments", and also after said word, "stations." And as so amended, recommend that said bill be concurred in.

That H. B. No. 233 be concurred in.

That H. B. No. 130 be concurred in.

That Sub. H. B. No. 237 be amended in Section 1 by striking out in line 13 of the printed bill the word, "five", and insert in lieu thereof the word, "ten," and by striking out in line 14 the word, "five", and inserting the word "ten". That same be amended in Section 2 by striking out all of Section 2 and renumbering the succeeding sections accordingly. And as so amended, recommend said bill be concurred in.

That H. B. No. 210 be not concurred in.

That H. B. No. 305 be concurred in.

That H. B. No. 226 be not concurred in.

That H. B. No. 114 be concurred in.

That H. B. No. 208 be concurred in.

That H. B. No. 158 be concurred in.

That consideration of H. B. No. 161 be passed.

That H. B. No. 253 be not concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, February 28, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Taxation: That H. B. No. 4 be amended in line 16, page 3, original bill, by striking out the word, "five," and substituting therefor the words "two and one-half"; by striking out in line 18, page 3, original bill, the word "ten" and inserting in lieu thereof the word "fifteen"; by striking out in line 22, page 3, original bill, the word, "forty", and substituting therefore the words, "twenty-five"; by striking out in line 25, page 3, original bill, the word, "eighty," and substituting therefor the word, "thirty"; and further amend in Section 8, line 11, page 4, original bill, by omitting the period at the end of section and adding thereto the following: "But shall not mean or include stores or establishments operated by co-operative associations for purely mutual purposes." And as so amended, recommend same be concurred in. Report adopted.

Committee on Public Lands: That H. B. No. 253 be amended by striking out in line 14, printed bill, the words and figures, "six and one-quarter per cent (6¼ %)", and inserting in lieu thereof the words and figures, "one per cent (1%)"; and as so amended, recommend said bill be concurred in, report adopted.

Committee on Insurance: That H. B. No. 93 be not concurred in, report adopted.

Committee on Stockgrowing and Grazing: That H. B. No. 187 be concurred in, report adopted.

Respectfully,

J. F. CONE,
Secretary.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following bill was introduced, read first and second time at length and referred to Committee:

House Bill No. 344, introduced by Committee on Appropriations. A Bill for an Act Entitled: "An Act appropriating money for the payment of per diem to the officers and attaches of the Twenty-third Legislative Assembly of the State of Montana." Committee on Appropriations.

The following Conference Committees were appointed:

On Senate Amendments to House Bill No. 278:

Haight of Fergus.

Stiefel of Gallatin.

Roll of Cascade.

On Senate Amendments to House Bill No. 283:

Fowler of Yellowstone.

McCarvel of Deer Lodge.

Groene of Fergus.

Besancon: Move the House now recess until 2:30 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Conner of Teton excused for the afternoon.

REPORTS OF STANDING COMMITTEES

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-seventh Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman.

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Moss: Move the messages from the Senate be considered read at length and the Journal so show. Seconded. Carried.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day killed on Third Reading by the Senate and Bills are herewith returned to the House.

H. B. No. 130, by Reardon of Deer Lodge and Goodwin.

H. B. No. 166, by Mulholland.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House.

H. B. No. 114, by Rognlien.

H. B. No. 158, by Judiciary Committee.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 305, by Replogle, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Oil and Leases Amendments to H. B. No. 305:

Amend Section 2 by striking out in line 2, page 2, engrossed bill, the words and figures, "one-fourth ($\frac{1}{4}$)", and inserting in lieu thereof the words and figures "one-eighth ($\frac{1}{8}$)".

Amend Section 2 by inserting in line 14, engrossed bill, after the word, "inch", the following: "and at a temperature of sixty degrees Fahrenheit"; and inserting in line 15 after the word, "pressure," the words, "and temperature."

Amend Section 9 by striking out in line 2, engrossed bill, after the word, "deposited," the word and figure, "one-half ($\frac{1}{2}$)" and also all of the said Section following the word, "State", to-wit: "twenty-five per centum (25%) to the credit of the Common School Interest and Income Fund, and twenty-five per centum (25%) to the Common School Equalization Fund."

Respectfully,

J. F. CONE,
Secretary.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 208, by Breitenstein, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Taxation Amendment to H. B. No. 208:

Amend by striking out in line 18, original bill, the words and figures, "Two Dollars (\$2.00)", and inserting in lieu thereof the words and figures, "Five Dollars (\$5.00)".

Respectfully,

J. F. CONE,
Secretary.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 83, by Committee on Appropriations, was this day read three several times, and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments:

Senate Committee on Finance and Claims Amendments to H. B. No. 83:

Amend by striking out in Section 1, line 34, printed bill, the words and figures "Twelve Thousand Six Hundred Sixty-six Dollars (\$12,666.00)" and inserting in lieu thereof the words and figures, "Twenty-Thousand Dollars (\$20,000.00)".

Amend by striking out in Section 2, line 126, printed bill, the words and figures, "Twelve Thousand Six Hundred Sixty-six Dollars (\$12,666.00)" and inserting in lieu thereof the words and figures, "Twenty Thousand Dollars (\$20,000.00)".

Senate Committee of the Whole Amendments to H. B. No. 83:

Amend in Section 1 by striking out in line 72 all of the words and figures in this line.

Amend in Section 2 by striking out in line 163 all of the words and figures in this line.

Amend in Section 4 by inserting in line 190, after the word "Montana", the following words: "It is further provided that the appropriations contained herein shall not be used for salary and expenses of a Chancellor of the University of Montana."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 233, by Harrington, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Labor and Capital Amendments to House Bill No. 233:

Amend by striking out in the title, printed bill, beginning with the second word, "and," in line 18, and ending with the word, "therein," in line 21, the following: "and to require the setting up in the penal and reformatory institutions of the state of a cost-accounting system in connection with the manufacture or production of goods, wares and merchandise therein;"

Amend further by inserting after the figure "1934" in line 1 of Section 1, printed bill, the following: "except as otherwise hereinafter provided."

Amend further by adding after the word, "exchange," in line 15 of Section 4, printed bill, the following: "except articles and things made by an inmate of any such institution for his own individual profit."

Amend by striking out all of Section 5 and inserting in lieu thereof the following:

"Section 5. Nothing herein contained shall be deemed to prevent any of the said institutions from manufacturing motor vehicle number plates, and other articles required or needed by the office of the Registrar of Motor Vehicles, or from preventing any of said institutions selling or disposing of any reasonable surplus of produce raised exclusively for the use, feeding or maintenance of the inmates of any of said institutions."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 237 was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Roads and Highways amendments to Substitute House Bill No. 237:

Amend in Section 1, line 7, by striking the words, "a fee of Twenty-five Dollars (\$25.00)," and inserting in lieu thereof, "a minimum fee of Thirty Dollars (\$30.00)," and in line 9 by striking the words, "above six (6)," and inserting in lieu thereof, "up to six (6) sets, and Two Dollars (\$2.00) additional fee for each additional set of number plates."

Amend on line 19, printed bill, by striking the words, "sixty dollars (\$60.00)," and inserting in lieu thereof the words, "Thirty-seven Dollars and Fifty Cents (\$37.50)." Amend in line 20, printed bill, by striking the words, "One Hundred Dollars (\$100.00)," and inserting in lieu thereof the words, "Sixty Dollars (\$60.00)." Amend in line 21 by striking the words, "Three Hundred Dollars (\$300.00)" and inserting in lieu thereof the words, "Two Hundred Dollars (\$200.00)."

Amend by striking the words in Sub-Section A of Section 1, in lines 36 and 37, printed bill: "or first-class city situated in county, such county having less than four hundred (400) miles of county highway, exclusive of Federal or State maintained highways."

Amend Sub-Section B of Section 1, in lines 43 and 44, printed bill, by striking out the following: "or first-class city situated in county having less than four hundred (400) miles of county maintained roads."

Amend by striking out all of Section 4.

Amend by adding a new paragraph after line 15, printed bill, to read as follows: "trucks not over one (1) ton capacity, Ten Dollars (\$10.00)." Amend in line 16, printed bill, by striking the words "Five Dollars (\$5.00)" and inserting in lieu thereof the words, "Sixteen Dollars (\$16.00)."

Senate Committee of the Whole Amendments to Substitute House Bill No. 237.

Amend in Section 1 by striking out in line 13, printed bill, the word "five", and inserting in lieu thereof the word, "ten," and by striking out in line 14 the word, "five," and inserting the word, "ten."

Amend in Section 2 by striking out all of Section 2 and renumbering the succeeding sections accordingly.

Respectfully,

J. F. CONE,
Secretary.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your Conference Committee on Senate Bill No. 54, beg leave to report that they can not agree and desire a new Conference Committee to be appointed.

CUSKER, Chairman,
ROLPH,
ROLL."

Holecek: Move that further action on Senate Bill No. 54 be indefinitely postponed. Seconded. Carried.

GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the Consideration of General Orders under the rules of the previous sitting. Seconded. Carried.

Nelstead in the Chair.

Committee arose. House resumed.

Mr. Speaker pro tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 21, Senate Amendments to House Bills Nos. 208, 83, 305, and Senate Bill No. 116.

Respectfully report and recommend as follows:

That Senate Bill No. 21 be concurred in.

That Senate Amendments to House Bill No. 208 be not concurred in but that a conference committee be requested.

That Senate Amendments to House Bill No. 83 be not concurred in but that a conference committee be requested.

That Senate Amendments to House Bill No. 305 be not concurred in but that a conference committee be requested.

That Senate Bill No. 116 be amended as follows: In Section 1, by inserting in line 5 of the amendment by the House Committee on Petroleum Oil and Gas, after the words and figures "150° F" the words and figures "and not higher than '170° F". Amend Section 1 by striking out in line 9 the figures "0°" and inserting in lieu thereof the figures "30°" and by striking out in line 17 the figures "0°" and inserting in lieu thereof the figures "30°", and in line 28 by striking out the figures "0°" and inserting in lieu thereof the figures "30°"—the line numbers referring in each case to the House Committee of Petroleum Oil and Gas amendment to the bill. Amend Section 1 by striking out in line 21 of the House Committee on Petroleum Oil and Gas amendment to the bill, the word "premium" and inserting in lieu thereof the word "thermometer".

And that as so amended, the bill be concurred in.

NELSTEAD, Chairman."

On motion by Nelstead, report adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 344: A Bill for an Act Entitled: "An Act appropriating money for the payment of per diem to the officers and attaches of the Twenty-third Legislative Assembly of the State of Montana." Respectfully report and recommend as follows:

That House Bill No. 344 do pass.

SHANNON, Chairman."

On motion by Arnold, report adopted.

"Mr. Speaker: We, your Committee on Appropriations having had under consideration Senate Bill No. 82. A Bill for an Act Entitled: "An Act amending Sections 8814, 440, 202, 219, 284, 363, 437, 438, 439, 933, 1558, 1958, 2446, 2739, 2740, 2819, 3255, 3557, 3784 and 3786 of the Revised Codes of the State of Montana of 1921, and amending Section 14, of Chapter 16, of the Session Laws of the Twentieth Legislative Assembly of 1927, and amending Section 3, of Chapter 179, of the Session Laws of the Nineteenth Legislative Assembly of 1925, and amending Section 59, of Chapter 89, of the Session Laws of the Twentieth Legislative Assembly of 1927, relating to the salaries and compensation of certain state officers, district judges, and of all deputy state officers and clerks, stenographers, and employees and all state offices, commissions, boards, bureaus and departments, and further providing that all Acts and parts of Acts in conflict with the provisions of this Act are hereby specifically amended according to this Act." Respectfully report and recommend as follows:

That Senate Bill No. 82 be not concurred in, but that House Substitute for Senate Bill No. 82 do pass.

SHANNON, Chairman."

Arnold: Move the report be adopted and that House Substitute for Senate Bill No. 82 be considered correctly printed and placed on General Orders. Seconded. Carried.

MOTIONS AND RESOLUTIONS

Besancon: Move that House Bill No. 344 be considered correctly printed and placed on General Orders. Seconded. Carried.

Marshall: Move that Senate Bill No. 111, which has been reconsidered, be placed on General Orders. Seconded. Carried.

Marshall: Move that Senate Bill No. 16 which has been reconsidered, be placed on General Orders. Seconded. Carried.

Rognlien: I ask unanimous consent to introduce a Resolution without previous notice. Without objection, permission granted.

Thereupon the following Resolution was introduced, read first and second times and referred to committee:

House Joint Resolution No. 8,

Introduced by Breitenstein and Rognlien.

WHEREAS, bills to permit and regulate the sale of beer and other liquors, if and when the same shall be legal, are now before the Senate and House of Representatives and are likely to be passed into law with or without amendments; and

WHEREAS, the question of the licensing and proper regulation of the sale of liquors is of great interest and importance to the people of the State of Montana; therefore

BE IT RESOLVED, by the Senate and House of Representatives that the President of the Senate be authorized and empowered to appoint three members of the Senate and the Speaker of the House of Representatives, three members of the House, who shall organize themselves into a Joint Committee, to study the subject of liquor control and licensing in all its phases and report its findings and recommendations to the Twenty-fourth Legislative Assembly, it being expressly understood that said Committee shall serve without pay and without any expense to the State of Montana.

GENERAL ORDERS

Besancon: Move that the House now resolve itself into Committee of the Whole for the Consideration of General Orders under the rules of the previous sitting. Seconded. Carried.

Nelstead in the Chair.

Committee arose. House resumed.

Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 344, S. B. No. 111, S. B. No. 16, House Substitute for Senate Bill No. 82, respectfully report and recommend as follows:

That H. B. No. 344 do pass.

That S. B. No. 111 be not concurred in.

That S. B. No. 16 be passed for the day.

That House Substitute for Senate Bill No. 82 be amended as follows:

By adding after the word "respectively" the words, "providing that all persons receiving fifteen hundred dollars per annum or less, or at same ratio, shall not be reduced"; and as so amended the bill do pass.

NELSTEAD, Chairman."

On motion by Nelstead, report adopted.

MOTIONS AND RESOLUTIONS

Annin: Move that the House reconsider its action to postpone indefinitely action on Senate Bill No. 54. Seconded.

A roll call was demanded, and that "ayes" and "noes" be entered on the Journal.

A call of the House was demanded. The roll was called and all members were present except Conner, Ralston and Harlen, excused.

On motion by Besancon, further proceedings under the Call of the House were dispensed with.

The motion of Annin was put, a roll call was taken, and resulted in the following vote:

Ayes: Abrahamson, Annin, Ballard, Beadle, Breitenstein, Byrne, Campbell, Cusker, Daugherty, Doe, Doran, Duffy, Ferry, Fowler, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Kuhl, Larsen, McCarvel, McDermott, McElwain, Manning, Mason, Moss, Mulholland, Nass, O'Connell, O'Shea, Pilgeram, Porter, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Sullivan, Whaley, White, Wigal, Woodcock. Total 52.

Noes: Acher, Anderson, Arnold, Balgord, Besancon, Bjorneby, Blankenbaker, Chapman, Ecton, Findlater, Fitzstephens, Freed, Givens, Green (Dawson), Haight, Hilger, Holecek, Knowles, Kruse, Lewis, Logan, Lott, Love, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Quamme, Rognlien, Setzer, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula). Total 45.

Absent and not voting: Conner, Harlen, Ralston, Mr. Speaker. Total 4.

The Speaker: Fifty-two have voted "aye", 45 have voted "no"; the motion is carried.

O'Connell: Move that the report of the Conference Committee asking for a new Conference Committee be adopted. Seconded. Defeated.

O'Connell: Move that the present Committee be discharged and that a new Committee of three from the House be appointed to meet with a like Committee from the Senate to confer on House Amendments to Senate Bill No. 54.

The Speaker ruled the motion out of order, as being the same as the preceding motion.

O'Connell: Move that the House reconsider the action taken on the report of the Conference Committee on Senate Bill No. 54; that a roll call be taken, and that the "ayes" and "noes" be entered on the Journal. Seconded. Fifteen members demanding a roll call, the roll was called, which resulted in the following vote:

Ayes: Annin, Ballard, Beadle, Byrne, Campbell, Cusker, Daugherty, Doe, Doran, Duffy, Ferry, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harrington, Jensen, Kuhl, Larsen, McCarvel, McDermott, McElwain, Manning, Mason, Mulholland, Nass, O'Connell, O'Shea, Pilgeram, Porter, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Rolph, Schuster, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Sullivan, Whaley, Wigal, Mr. Speaker. Total 46.

Noes: Abrahamson, Acher, Anderson, Arnold, Balgord, Besancon, Bjorneby, Blankenbaker, Breitenstein, Chapman, Ecton, Findlater, Fitzstephens, Fowler, Freed, Givens, Green (Dawson), Haight, Hilger, Holecek, Knowles, Kruse, Lewis, Logan, Lott, Love, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nelstead, Nutting, Parker (Flathead), Parker (Broadwater), Pierson, Quamme, Rognlien, Roll, Setzer, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Woodcock. Total 52.

Absent and not voting: Conner, Harlen, Ralston. Total 3.

The Speaker: Forty-six have voted "aye", 52 have voted "no"; the motion is lost.

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House to return House Bill No. 166, for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Freudenstein: Move the request of the Senate be granted. Seconded. Carried.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, granted the request of the House for the selection of a Conference Committee to confer with a like Committee from the House for consideration of Senate Amendments to House Bill No. 278, whereupon the President appointed the following Senators to act as such Conference Committee from the Senate:

Senators Galt, Thien and Plank.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, granted the request of the House for the selection of a Conference Committee to confer with a like Committee from the House for consideration of Senate Amendments to House Bill No. 283, whereupon the President appointed the following Senators to act as such Conference Committee from the Senate:

Senators Parkin, Church and Willis.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House.

H. B. No. 140, by Committee on Appropriations.

H. B. No. 336, by Committee on Appropriations.

H. B. No. 337, by Committee on Appropriations.

H. B. No. 341, by Committee on Appropriations.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 16, by Committee on Revenue and Taxation, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee of the Whole Amendments to H. B. No. 161:

Amend in Section 1 by inserting in line 3 after the figure 2296, the following: "The term corporation includes associations, joint stock companies, common law trusts and business trusts which do business in an organized capacity whether created under and pursuant to state laws, agreements, declarations of trust, or otherwise."

Amend by striking out in line 6 of the printed bill the word, "two", and inserting in lieu thereof the word, "one".

Amend the amendment to Section 1 by striking out the word, "one", and inserting in lieu thereof the word, "two."

Amend Section 1 by striking out in line 15, printed bill, the word "two", and inserting in lieu thereof the word, "one".

Amend in Section 16 by striking out in line 1 the word "fifty," and inserting in lieu thereof the words, "seventy-five"; and by striking out in line 2 the words, "twenty-five per centum to the Common School Interest and Income Fund."

Respectfully,

J. F. CONE,
Secretary.

MOTIONS AND RESOLUTIONS

Shannon: Move that House Bill No. 344 be considered correctly engrossed and placed on third reading. Seconded. Carried.

INTRODUCTION OF BILLS AND MEMORIALS AND SECOND READING OF SAME

The following Bill was this day introduced, read first time and second time at length, and referred to committee:

House Bill No. 345, introduced by Committee on Appropriations. A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance of the Industrial Accident Board for the period beginning July 1, 1933 and ending June 30, 1935." Committee on Appropriations.

The Speaker appointed the following Conference Committees:

On Senate Amendments to House Bill No. 305:

Metlen of Beaverhead.

McCarvel of Deer Lodge.

Nelstead of Carter.

On Senate Amendments to House Bill No. 208:

Shannon of Sanders.

Larsen of Deer Lodge.

Metlen of Beaverhead.

THIRD READING OF HOUSE BILLS

House Bill No. 344, introduced by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harrington, Jensen, Knowles, Kuhl, Larsen, Logan, Love, McCarvel, McElwain, Marshall, Mason, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nel-

stead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Sullivan, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 72.

Noes: Cusker, Haight, Holecek, McDermott, Trenne. Total 5.

Absent and not voting: Balgord, Ballard, Blankenbaker, Conner, Fitzstephens, Fowler, Freed, Harlen, Hilger, Kruse, Lewis, Lott, Manning, Metlen, Miles, O'Connell, Pilgeram, Ralston, Reardon (Deer Lodge), Rognlien, Rolph, Sparling, Waite, Watson (Meagher). Total 24.

The Speaker: Seventy-two have voted "aye", 5 have voted "no", House Bill No. 344 has passed the House.

Groene: Mr. Speaker, as Chairman of the select Committee appointed to interview the officials of the state regarding their attitude towards reduction of salaries, I should like to have some instructions as to our procedure, in view of legislation already passed.

O'Connell: Move the Special Committee be discharged. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 345: A Bill for an Act Entitled: "An Act to appropriate money for the operation and maintenance of the Industrial Accident Board for the period beginning July 1, 1933, and ending June 30, 1935," respectfully report and recommend as follows:

That H. B. No. 345 do pass.

SHANNON, Chairman."

On motion by Shanon, report adopted.

Shannon: Move that House Bill No. 345 be considered correctly printed and placed on General Orders. Seconded. Carried.

Committee on Constitutional Amendments excused for a few moments.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules in effect at the previous sittings. Seconded. Carried.

Nelstead of Carter in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 345, and Senate Amendments to House Bill No. 233, respectfully report and recommend as follows:

That H. B. No. 345 do pass.

That Senate Amendments to House Bill No. 233 be concurred in.

NELSTEAD, Chairman."

On motion by Nelstead, report adopted.

MOTIONS AND RESOLUTIONS

Shannon: Move that House Bill No. 345 be considered correctly engrossed and placed on third reading, and that House Substitute for Senate Bill No. 82 be considered correctly engrossed and placed on Third Reading. Seconded. Carried.

THIRD READING OF HOUSE BILLS

House Bill No. 345, introduced by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Beadle, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Freed, Findlater, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harrington, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Mason, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Balgord, Blankenbaker, Conner, Fitzstephens, Groene (Fergus), Harlen, Hilger, Knowles, Manning, Marshall, Metlen, Miles, Mulholland, O'Connell, Pilgeram, Ralston, Reardon (Deer Lodge), Rognlien, Rolph, Shannon, Sparling, Sullivan, Waite, Watson (Meagher). Total 24.

The Speaker: Seventy-seven have voted "aye", none have voted "no", H. B. No. 345 has passed the House.

House Substitute for Senate Bill No. 82, introduced by Committee on Appropriations, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Ballard, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Green (Dawson), Hagerty, Haight, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Broadwater), Pierson, Quamme, Ragen, Reardon (Deer Lodge), Roll, Setzer, Shannon, Snidow, Spangler, Stephens (McCone), Stevens (Wheatland), Strange, Sullivan, Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 73.

Noes: Annin, Ferry, Groene (Fergus), Harrington, Miller (Lincoln), Rearden (Cascade), Replogle, Schuster. Total 8.

Absent and not voting: Balgord, Beadle, Blankenbaker, Conner, Fitzstephens, Grabow, Harlen, Hilger, Manning, O'Connell, Parker (Flathead), Pilgeram, Porter, Ralston, Rognlien, Rolph, Somerville, Sparling, Stiefel, Watson (Meagher). Total 20.

The Speaker: Seventy-three have voted "aye", 8 have voted "no"; House Substitute for Senate Bill No. 82 has passed the House.

THIRD READING OF SENATE BILLS

Senate Bill No. 21, introduced by Holton and Ruffcorn, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Ballard, Besancon, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Daugherty, Doran, Duffy, Ecton, Findlater, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harrington, Jensen, Knowles, Kuhl, Logan, Lott, Love, McCarvel, McDermott,

Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Quamme, Ragen, Rearden (Cascade), Replogle, Roll, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Trenne, Ueland, Waite, Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 73.

Noes: Ferry, Larsen, Lewis. Total 3.

Absent and not voting: Balgord, Beadle, Blankenbaker, Conner, Doe, Fitzstephens, Fowler, Harlen, Hilger, Holecek, Kruse, McElwain, Manning, O'Connell, Pilgeram, Porter, Ralston, Reardon (Deer Lodge), Rognlien, Rolph, Sparling, Stiefel, Strange, Sullivan, Watson (Meagher). Total 25.

The Speaker: Seventy-four have voted "aye", 3 have voted "no", S. B. No. 21 has been concurred in by the House.

The Speaker appointed the following Conference Committee:

On Senate Amendments to House Bill No. 83:

Shannon of Sanders.

Arnold of Rosebud.

Green of Dawson.

Besancon: Move the House now adjourn until 10:00 o'clock tomorrow morning. Seconded. Carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

SIXTIETH DAY

House of Representatives,
Helena, Montana, March 2, 1933.

House convened, pursuant to adjournment, at 10:00 o'clock a. m.

Mr. Speaker in the Chair.

Invocation by the Chaplain.

On roll call all members present except Reardon of Deer Lodge and Sullivan both excused.

Besancon: We have just received the sad news of the death of Senator Walsh. This lovable and great character has now passed to his eternal rest. For twenty years Senator Walsh has ably and fearlessly represented this State in the councils of the Nation. Starting from almost humble beginnings, he reached a place very high indeed among America's great statesmen. Now, at the peak of his career, he has passed to the Great Beyond. Mr. Speaker, I think it fitting and proper that the House devote a short time this morning in observance of this sad event. I move that the House of Representatives stand in silent attention to his memory.

In response to the above motion, the House stood in silent attention for two minutes to the memory of Senator Thomas J. Walsh.

The Speaker: Out of respect for the memory of Senator Walsh, whose passing has cast our State and the entire Nation into the depths of grief, I will ask the Chief Clerk at this time to read to you a speech delivered by Senator Walsh on January 15th, 1913, in the House of Representatives, to a joint session of the House and Senate on the day after his election by the Thirteenth Legislative Assembly of this State to the United States Senate.

Thereupon the Clerk read the following from the Journal of the Thirteenth Legislative Assembly of the State of Montana:

Mr. President, Mr. Speaker and Members of the Legislative Assembly:

"I am sincerely appreciative of the courtesy through which I am permitted on this occasion to express publicly to the people of Montana my thanks for the more than generous call to serve them as their representative in the National Senate, voiced at the late election and now confirmed by our solemn proceedings.

Whatever the future may have in store, I shall never cease to be grateful that in this critical juncture in our political life, I was regarded as in some measure representative of their hopes and aspirations and that on the first occasion on which they were permitted to express their preference for that high office, I was the choice of the people of this great commonwealth for it.

It is not only gratifying but impressive that there should be exhibited such ready and cheerful acquiescence in the result of the election. It will be recorded to the honor of the members of this body, who came here pledged to vote for one not of their own party, that none found the obligation to any extent irksome, nor was there room to doubt at any time, in the case of any of them, that it would be religiously observed.

My acknowledgments are especially due to those members not of my own political faith, who, unconstrained by any pro-election pledge have graciously made an election by this Assembly unanimous. They have taught a valuable lesson of the sovereignty of the will of the people.

I am not unappreciative either of the high dignity of the position to which you, in their name and obedient to their mandate, have raised me, nor of my own inability to fill the place in a manner even remotely approaching the ideal. Whatever limitations in usefulness may, however, be imposed upon me by deficiency in talent, I shall hope to overcome, in part at least, by assiduity in labor which twenty-five years of active practice as a lawyer has made a fixed habit of my life.

In all probability this is the last time that a Montana Legislature will even formally participate in the election of a United States senator.

Before another session convenes, the amendment intended to make operative in every state the method of election our people have, in effect, adopted, will doubtless have become a part of our organic law. You will, I am sure, actuated by your own views and administered by the platforms of the parties by which you were respectfully nominated, hasten to ratify and confirm it. You are now free to devote yourselves to the work of legislation before you, unembarrassed by a senatorial contest hitherto the fruitful source of public scandal.

In this departure from a system intended to permit a choice for senator in defiance of, or at least not in accordance with, the will of the people, is witnessed one of the initial triumphs of the movement to make this government a truly popular one.

The political sentiment to which it is responsive has already sent to the national councils many men whose views of public questions are in striking contrast to those prevailing in the school to which those they supplant belong.

That sentiment has not been without effect on the convictions of many others of the older class of statesmen. Some have in good faith accepted the doctrine that a more thorough-going democracy than that which has obtained is essential to our political salvation. Others have yielded, from prudential reasons, a reluctant acquiescence. Quite apart from the question of party supremacy, we are in the midst of what may not inappropriately be termed a political revolution, the consequences of which will be exhibited in legislation deeply affecting the social and industrial order. A more marked humanitarianism will undoubtedly characterize it. The conservation of human life will be a feature of first importance in it. It must aim to exact recognition of the reasonable claims of humanity though industry should thereby be burdened. Industrial supremacy built upon the denial of such brings neither honor nor lasting good.

This legislation will be incidental to the main object of the movement—the abolition of privilege through which an unjust share of the prodigious wealth our prolific country produces finds its way into the hands of the relatively few where it accumulates in menacing magnitude.

In this work patriotic citizens of all parties who have deplored the conditions rendering it necessary, will lend their sympathy, encouragement and aid.

When the surgeon is about to apply the knife in what is known as a major operation, he prepares the patient to withstand the shock by a nourishing regimen. Providence has guarded against any unfortunate depression attendant upon the operation found essential to the health of the body politic, the yield of the farms and fields of the nation surpassing in the year just gone, anything heretofore known in our history. With abundant crops come a season of unusual activity in all dependent industries.

In the iron and steel trade, usually regarded as an index of business conditions, the paramount question is to make deliveries. The farthest West is revealing possibilities for agricultural development hitherto undreamed of, and an era of railroad construction is upon us that has no parallel. Heretofore railroads were constructed through the intermountain region primarily for transcontinental traffic. The new lines contemplate securing a profitable business from the regions they develop and through which they run. These great enterprises are not projected in the prospect of impending financial and industrial disorders. The record-breaking copper output of 1912 tells not less eloquently the general conviction of the prevalence of virile business conditions. Not unlikely some slight disturbance will be experienced consequently upon necessary readjustments, but this, a patient and patriotic public will regard as a mere incident of the transition to a system under which the prosperity of our country will be measured rather by the generality with which the comforts of life are enjoyed than by imposing figures of our aggregate wealth that may mean the extreme of destitution on the one hand and of opulence on the other.

The tendency towards a more thoroughly representative government in this country is intimately associated with the moral awakening which has characterized the last decade. The rule of the few can be maintained here only by corruption and political chicanery. The aroused conscience of the people revolts at the former and their advancing intelligence renders less and less effective the latter. The quickening moral sense and increasing power of the people have each kept pace with the other in this state.

Without disparagement of the past it may in justice to this body be said that it is without a peer in our history in respect to the conscientious purpose of its members to give to the state disinterested and devoted service.

In entering upon the duties devolving upon me by virtue of the senatorial office, I shall not be unmindful of the fact that though I may be the candidate of a party, I am now the servant of the people. My services are theirs to command in connection with any matter in respect to which a representative in Congress may speak for them either individually or collectively, before any of the executive departments or other branches of the National Government. In an humble way at least, I hope to repay the people of the state by faithful service for the honor with which they today invest me, and I shall esteem it a favor on the part of any citizen who shall address me with reference to any business he may have with the federal authorities at Washington.

My political affiliations have always been with the democratic party because, in my judgment, the basic principles it professes most surely lead to national greatness and most certainly tend to justice to all men. But I am not blind to the fact that party action is not infrequently the very antithesis of party principle, and that legislation which comes through

the fiery furnace of fierce opposition is rarely defensible when tried by any fixed principle. Even the Constitution of the United States, "the most wonderful work ever struck off at one time by the brain and purpose of man," is an illogical compromise. It is not, accordingly, to be expected of me that I shall either allow my judgment with reference to legislation to be controlled by the application of set rules or my official action to be governed by any party organization.

I shall have no hesitancy in supporting measures that meet my approbation or condemning those against which my judgment or conscience rebels, without regard to the source from which they originate.

After all, the part of the work of a representative in Congress into which political consideration enter, is relatively small and, in view of the substantial harmony in purpose of the progressive element, regardless of party affiliation, relatively unimportant. It is rare that they have any proper place whatever in measures of a local nature.

The administration of the public land laws, the prosecution of the great works of irrigation, the care of the Indians, the preservation and use of the national forests—these are great subjects in connection with which there are between us no political differences.

I shall esteem it an added distinction to be a Senator from Montana. The fame of this state is very dear to me. Its romantic history, depicted in part in the works of art that adorn the walls and corridors of this chamber, appeals to the imagination. Its vast extent, once suggestive of endless and trackless wastes, now rightly excites the idea of limitless opportunity. The plain story of the productive capacity of its soil, lately revealed, reads like a fairy tale. Its diversified resources invite the activity of the most varied and divergent talents. Its scenic beauties lure the lover of nature, who finds here mountain retreats wilder than the Trossachs and as grand as the Alps. Art and Industry must both thrive in these surroundings. It is a fascinating dream that Learning will one day find in their midst a home to which the scholars of the world will repair.

I harbor no political ambition beyond a fervent desire to discharge with fidelity to the people of the State and the Nation the duties of the great office for which you have named me, for the term for which I have been elected. To that end I ask the guidance of the Great Ruler, whose ways are the ways of righteousness, and in whose hands are the destinies of men and nations."

Besancon: In further reverent and sincere respect for the memory of our devoted friend and citizen, I move the House now recess until 11:00 o'clock a. m. Seconded. Carried.

White: Move that a committee of three be appointed to draw appropriate resolutions to present to the House upon the death of Senator Walsh. Seconded. Carried.

Whereupon the Speaker appointed as such Committee, Besancon of Missoula, O'Connell of Silver Bow, and Moss of Flathead.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Constitutional Amendments having had under consideration Senate Bill No. 198: A Bill for an Act Entitled: "An Act to provide for conventions to ratify proposed amendments to the Constitution of the United States." Respectfully report and recommend as follows:

That Senate Bill No. 198 be amended as follows:

In Section 4, line 5, after the word "fellows"; strike out all the remainder of line 5, and all of lines 6, 7, 8 and 9, and insert in lieu thereof the following: "the total number of votes cast for each candidate 'in favor

of' ratification, and the total number of votes cast for all candidates 'in favor of' ratification and the total number of votes cast for each candidate 'opposed to' ratification and the total number of votes cast for all candidates 'opposed to' ratification shall be ascertained, and the candidates equal to the number to be elected receiving the highest number of votes from the side that casts the greater number of votes in favor of or opposed to ratification, as the case may be, shall be deemed elected."

And as so amended, Senate Bill No. 198 be concurred in.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 164, 9, 78, 135, 229, 88, 186, 248, 314, 335 and 77.

LARSEN, Chairman."

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

"Mr. President: We, your Conference Committee of the House and Senate, having had under consideration the Senate amendments to House Bill No. 278 hereby agree to rescind the following Senate amendment to such Bill:

"But in no case shall the levy exceed ten (10) mills", and as agreed recommend that the same be concurred in.

Senate members of Conference Committee.

Galt, Thien, Plank.

House members of Conference Committee.

Haight, Stiefel, Roll."

Haight: Move the adoption of the report. Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Piereson, Porter, Ragen, Ralston, Rearden (Cascade), Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 83.

Noes: Balgord, Knowles, Miles, Miller (Big Horn), Stevens (Wheatland). Total 5.

Absent and not voting: Annin, Byrne, Fowler, Freed, Kruse, Metlen, Parker (Broadwater), Pilgeram, Quamme, Reardon (Deer Lodge), Repogle, Shannon, Sullivan. Total 13.

The Speaker: Eighty-three have voted "aye", 5 have voted "no"; the report of the Conference Committee on House Bill No. 278 is adopted by the House.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 58th Legislative day, find the same to be correct."

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR
AND SENATE

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 161 for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 93, for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the requests of the Senate be granted. Seconded. Granted.

Besancon: Move that further communications from the Senate be considered read at length, and that the Journal so show. Seconded. Carried.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 4, by Nass, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Taxation Amendments to House Bill No. 4:

Amend by striking out in line 16, page 3, original bill, the word, "five", and substituting therefor the words, "two and one-half."

Amend by striking out in line 18, page 3, original bill, the word, "ten", and inserting in lieu thereof the word, "fifteen."

Amend by striking out in line 22, page 3, original bill, the word, "forty", and substituting therefor the words, "twenty-five."

Amend by striking out in line 25, page 3, original bill, the word, "eighty," and substituting therefor the word, "thirty."

Amend in Section 8, line 11, page 4, original bill, by omitting the period at the end of the section and adding thereto the following: "but shall not mean or include stores or establishments operated by co-operative associations for purely mutual purposes."

Senate Committee of the Whole Amendments to House Bill No. 4:

Amend in Section 8 by adding at the end of Section 8 the following words: "Provided, however, the term 'store' shall not include bulk stations engaged exclusively in the sale of gasoline and other petroleum products at wholesale."

Amend in Section 8, as amended, by striking out the words, "but shall not mean or include stores or establishments operated by cooperative associations for purely mutual purposes."

Amend in Section 10 by striking out in lines 6 and 7 the words "and common school equalization fund equally."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That House Bill No. 140 be concurred in.

That House Bill No. 336 be concurred in.

That House Bill No. 341 be concurred in.

That House Bill No. 337 be concurred in.

That House Bill No. 161 be amended in Section 1 by striking out in line 6 of the printed bill the word, "two", and inserting in lieu thereof the word, "one", and that Section 1 be further amended by striking out in line 15 of the printed bill the word, "two," and inserting in lieu thereof the word, "one."

That House Bill No. 161 be amended in the amendment to Section 1 by striking out the word "one" and inserting in lieu thereof the word "two".

That said bill be amended in Section 16 by striking out in line 1 the words, "fifty", and inserting in lieu thereof the words, "seventy-five," and also by striking out in line 2 the words, "twenty-five" per centum to the Common School Interest and Income Fund."

That said bill be further amended in Section 1 by inserting in line 3 after the figures 2296, the following: "The term corporation includes associations, joint stock companies, common law trusts and business trusts which do business in an organized capacity whether created under and pursuant to state laws, agreements, declarations of trust, or otherwise."

And as so amended, recommend said bill be concurred in.

That House Bill No. 187 be concurred in.

That House Bill No. 4 be amended in Section 8 by adding at the end of Section 8 the following words: "Provided, however, the term 'store' shall not include bulk stations engaged exclusively in the sale of gasoline and other petroleum products at wholesale."

Be amended in Section 8, as amended, by striking out the said amendment.

Be amended in Section 8 by striking out the words "but shall not mean or include stores or establishments operated by cooperative associations for purely mutual purposes."

Be amended in Section 10 by striking out in lines 6 and 7 the words, "and Common School Equalization Fund equally".

And as so amended, recommend said bill be concurred in.

That House Bill No. 328 be amended in Section 32 by adding in line 2 after the word, "Montana," the words, "the Common School Interest and Income Fund and the Common School Equalization Fund,"; and by striking out the period after the word "Act" in line 4 and adding the words, "in proportion to the distribution of taxes collected under this Act".

And as so amended, recommend said bill be concurred in.

That House Bill No. 203 be amended in the title by striking out the words, "and by private motor carriers of property".

And as so amended, recommend consideration of said bill be passed temporarily.

That consideration of House Bill No. 204 be passed temporarily.

That consideration of House Bill No. 206 be passed temporarily.

That House Bill No. 263 be concurred in.

That House Bill No. 220 be concurred in.

That House Bill No. 310 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Standing Committees this day reported as follows:

Committee on Taxation: That House Bill No. 294 be not concurred in, report adopted.

Committee on Insurance: That House Bill No. 263 be amended in Section 1, line 20, by inserting after the word, "houses," the word, "or"; be amended by striking out after the word, "churches," all of lines 20, 21, and 22, and striking out the word, "inhabitants" in line 23 of the engrossed bill; and as so amended, recommend that House Bill No. 263 be concurred in, report adopted.

Committee on Education: That House Bill No. 102 be not concurred in, report adopted.

Committee on Education: That Substitute House Bill No. 271 be not concurred in, report adopted.

Committee on Finance and Claims: That House Bill No. 140 be reported back without recommendation.

Committee on Finance and Claims: That House Bill No. 220 be amended as per the attached, and as so amended, recommend said bill be concurred in, report adopted.

Committee on Finance and Claims: That House Bill No. 336 be reported back without recommendation.

Committee on Finance and Claims: That House Bill No. 337 be reported back without recommendation.

Committee on Finance and Claims: That House Bill No. 341 be reported back without recommendation.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 263, by Parker of Flathead, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee on Insurance Amendment to House Bill No. 263:

Amend in Section 1, line 20, by inserting after the word, "houses," the word, "or". After the word, "churches," strike out all of lines 20, 21 and 22, and strike out the word, "inhabitants," in line 23, engrossed bill.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 220, by Watson of Meagher, Somerville and Grabow, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments.

Senate Committee on Finance and Claims Amendments to House Bill No. 220:

Amend title by striking out the words, "Central Accounting Department and Central Accounting System in and for the State of Montana for all", in lines 5 and 6, original bill, and inserting in lieu thereof the words, "Centralized Accounting System under the Board of Examiners for certain."

Amend Section 1 by striking out the entire section, lines 10 to 20 inclusive, original bill, and inserting in lieu thereof the following: "There is hereby established in and for the State of Montana, a Centralized System of Accounting for certain departments, bureaus, institutions, boards and other agencies as hereinafter provided, which system shall be under the control of the State Board of Examiners. The State Accountant shall install and operate said Central Accounting System in his office in the State Capitol. The State Accountant shall execute a bond for the faithful discharge of the duties of his office, the amount of the bond to be fixed by the State Board of Examiners. In addition to the present salary of the State Accountant, he shall receive in consideration of his duties as herein provided, an annual salary of five hundred dollars (\$500.00) to be paid in twelve (12) equal monthly installments, and as provided by law."

Amend Section 2 by striking out in line 21, original bill, the word, "Accountant," and inserting in lieu thereof the words, "Board of Examiners"; in line 22, by striking out the word, "his" the first time it is used, and inserting in lieu thereof the word "its"; in line 22, original bill, by striking out the word, "his", and second time it is used, and inserting in lieu thereof the word, "the"; in line 23, after the word, "office", inserting the words "of the State Accountant"; in line 23 by striking out the word "State" which is used before the word, "Capitol"; in line 25 by inserting the words, "State Highway Commission and other," after the words, "except the"; in line 26, after the word, "are," inserting the word, "now."

Senate Committee on Finance and Claims Amendment to House Bill No. 220:

Amend Section 5 by striking out the entire section and inserting in lieu thereof the following:

"There is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, from the General Fund of the State, the following sums, or so much thereof as may be necessary under this Act:

For salaries and expenses for the fiscal year, July 1, 1933, to June 30, 1934, Six Thousand Dollars (\$6,000.00).

For salaries and expenses for the fiscal year, July 1, 1934, to June 30, 1935, Six Thousand Dollars (\$6,000.00)."

Amend by inserting a new section to be known as Section 6, to read as follows: "Section 6. Nothing herein contained shall in any way be construed as altering, modifying or changing the laws providing for, or relating to the State Purchasing Department or the State Purchasing Agent in regard to the approval of claims."

Amend by renumbering Section 6 to read Section 7; Section 7 to read Section 8.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 328, by Committee on Revenue and Taxation, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendment:

Senate Committee of the Whole Amendment to House Bill No. 328:

Amend in Section 32 by adding in line 2 after the word, "Montana", the words, "the Common School Interest and Income Fund and the Com-

mon School Equalization Fund," and by striking out the period after the word "Act" in line 4 and adding the words, "in proportion to the distribution of taxes collected under this Act."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 319, on motion of the Senate, is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 166, by Mulholland, was this day read three several times and concurred in, as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee on Labor and Capital Amendment to House Bill No. 166:

Amend by striking out all of Section 1 and inserting in lieu thereof the following: "Section 1. Commencing on July 1, 1933, in cities of seven thousand (7,000), or more inhabitants, a period of eight (8) hours shall constitute a day's work for all persons in retail stores, all persons engaged in delivering goods sold in such stores, all persons in wholesale warehouses used for supplying retail establishments with goods; and all persons engaged in delivering goods to retail establishments from such wholesale warehouses, and all such establishments shall remain open for business only between the hours of nine o'clock (9 o'clock) a. m. and (six o'clock) p. m. and remain closed all day on Sundays and on all legal holidays; providing that drug stores may remain open four (4) hours on Sundays or holidays, and providing further that in cases of an emergency where life or property are in imminent danger, they may be opened at any time for the purpose of filling prescriptions or doing apothecary work."

Senate Committee of the Whole Amendments to House Bill No. 166:

Amend in Section 1 by striking out in line 1 of Section 1 as amended, the word, "seven," and inserting in lieu thereof the word, "eight."

Amend in Section 1 as amended, by inserting in line 7 after the word, "establishments," the following words: "excepting cigar stores and confectionery stores and gasoline service stations," and by placing a comma after said word, "establishments, and also after said word, "stations."

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House.

House Bill No. 102, by Committee on Education.

House Bill No. 204, by Committee on Highways.

House Substitute for House Bill No. 271, by Committee on Education.

House Bill No. 294, by Knowles.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House:

House Bill No. 187, by Snidow.

House Bill No. 310, by Rognlien.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on point of order raised by Senator Larson, that time for reconsideration had expired, the Chair held that the point was well taken, and House Bill No. 267, by Committee on Revenue and Taxation, is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee of the Senate appointed to confer with a like Committee from the House for consideration of House amendments to Senate Bill No. 54, this day reported that they failed to reach an agreement with the House Committee and asked that they be excused and a new Committee appointed. As a substitute motion by Rowland, the report of the Conference Committee was not adopted, and on motion, the Senate refuses to further confer on Senate Bill No. 54, motion carried, on roll call.

Respectfully,

J. F. CONE,
Secretary.

THIRD READING OF SENATE BILLS

Senate Bill No. 116, introduced by Pauline and Donovan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: Cusker, Metlen, Nelstead, Reardon (Deer Lodge), Shannon, Spangler, Sullivan. Total 7.

The Speaker: Ninety-four have voted "aye", none have voted "no"; Senate Bill No. 116 has been concurred in by the House.

Senate Amendments to House Bill No. 233, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Woodcock, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Annin, Balgord, Byrne, Fowler, Freed, Haight, Metlen, Moss, Reardon (Deer Lodge), Shannon, Spangler, Sullivan. Total 12.

The Speaker: Eighty-nine have voted "aye", none have voted "no"; Senate Amendments to House Bill No. 233 have been concurred in by the House.

The Speaker gave notice that he was about to sign House Bill No. 77, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 335, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 314, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 248, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 186, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 88, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 229, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 135, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 78, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 164, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 9, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 10, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 75, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 68, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 110, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 112, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 113, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 127, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 128, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 201, and thereupon signed the same in the presence of the House.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, March 1, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, requests the House for the return of House Bill No. 162 to the Senate for further consideration.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the request of the Senate be granted. Seconded. Carried.

The Speaker: I will now refer House Joint Resolution No. 8, which was introduced yesterday, to Committee on Revenue and Taxation.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole, for the consideration of General Orders. Seconded. Carried.

Cusker of Roosevelt in the Chair.

Committee arose.

House resumed. Mr. Speaker pro tem in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole having had under consideration Senate Amendments to Substitute House Bill No. 237, Senate Bill No. 16, Senate Amendments to House Bill Nos. 328, 4, 166, 319, 263, 220, Senate Bill No. 198, respectfully report and recommend as follows:

That Senate Amendments to Substitute House Bill No. 237 be not concurred in, but that a Conference Committee be requested.

That Senate Bill No. 16 be not concurred in.

That Senate Amendments to House Bill No. 328 be not concurred in; but that a Conference Committee be requested.

That Senate Amendments to House Bill No. 4 be not concurred in, but that a Conference Committee be requested.

That Senate Amendments to House Bill No. 166 be passed for the morning.

That Senate Amendments to House Bill No. 319 be concurred in.

That Senate Amendments to House Bill No. 263 be concurred in.

That Senate Amendments to House Bill No. 220 be concurred in.

That Senate Bill No. 198 be passed for the morning.

CUSKER, Chairman."

Cusker: Move the adoption of the report. Seconded.

Daugherty: Move that Senate Bill No. 16 be segregated from the report of the Committee of the Whole. Seconded.

A roll call was demanded, and that the ayes and noes be entered on the Journal.

A call of the House was demanded. Besancon of Missoula and Rear-don of Deer Lodge were absent, and were excused without objection.

On motion by Moss, further proceedings under the Call of the House were dispensed with.

Motion by Daugherty was then put to vote, the roll was called and resulted in the following vote:

Ayes: Anderson, Arnold, Balgord, Blankenbaker, Conner, Daugherty, Ecton, Freed, Givens, Green (Dawson), Haight, Hilger, Holecek, Knowles, Kruse, Kuhl, Lewis, Lott, McElwain, Manning, Marshall, Miller (Big Horn), Nass, Nelstead, Nutting, O'Shea, Quamme, Ragen, Replogle, Setzer, Shannon, Spangler, Sparling, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Woodcock. Total 41.

Noes: Abrahamson, Acher, Ballard, Beadle, Bjerneby, Breitenstein, Byrne, Campbell, Chapman, Cusker, Doe, Doran, Duffy, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Larsen, Logan, Love, McCarvel, McDermott, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, O'Connell, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Ralston, Rearden (Cascade), Rognlien, Roll, Rolph, Schuster, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, White, Wigal, Mr. Speaker. Total 56.

Absent and not voting: Annin, Besancon, Reardon (Deer Lodge), Sullivan. Total 4.

The Speaker: Forty-one have voted "aye", 56 have voted "no"; the motion to segregate Senate Bill No. 16 is lost.

The motion of Cusker that the report of the Committee of the Whole be adopted was then put to vote, and carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 164, 9, 78, 135, 229, 88, 186, 248, 314, 335, 77, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:10 o'clock p. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Revenue and Taxation, having had under consideration House Joint Resolution No. 8, relative to the permit and regulation of the sale of beer and other liquors and the appointment of a Joint Committee of the Senate and House for the study of same, respectfully report and recommend as follows: That House Joint Resolution No. 8 be adopted.

ROGNLIEN, Chairman."

On motion by Rognlien, report adopted.

"Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 153: A Bill for an Act Entitled: "An Act to limit, regulate and license the manufacture and sale of any and all liquors or beverages that may hereafter be manufactured, sold or dispensed in the State of Montana."

Respectfully report and recommend as follows: That Senate Bill No. 153 be amended as follows:

Amend Section 2 by striking out subdivisions (b) and (c) and re-lettering the remaining subdivisions accordingly.

Amend Section 4 to read as follows:

"The State Board of Examiners, ex-officio, shall constitute the "Montana Liquor Control Board," and such board shall have the powers and duties herein specified, and the administration of this Act including the

general control, management and supervision of all state liquor stores; and the members thereof shall not receive any additional compensation for their services other than their salaries prescribed by law."

Strike out all of Section 6.

Amend Section 11 by striking out after the word "maintain" in line 12 page 9 of the original bill and line 1 of Section 11 of the printed bill, all of the words up to and including the word "advisable" in line 14, page 9 of the original bill, lines 3 of Section 11 of the printed bill, and inserting in lieu thereof the words "at county seats." And further amend Section 11 by inserting as an addition at the end thereof the following: "Such state liquor stores shall be and remain open from the hour of 12:00 o'clock noon until the hour of 9:00 o'clock in the evening each and every day, save and except that they shall be closed for the transaction of business on Sundays, legal holidays and election days."

Amend Section 9 by adding at the end of Sub-Section (i) of said Section the following: "Provided that all spirituous and vinous liquors shall be purchased and sold only in bottled containers in the original packages, and not in barrels or bulk, it being the intent and purpose of this Act to prevent the rectification or dilution of such liquors."

Amend by striking out all of Sections 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44.

Amend Section 45 of the bill by striking out in lines 21 and 22, page 26 of the original bill, lines 8 and 9 of Section 45 in the printed bill, the following: "and no such last mentioned druggist shall have on hand at any one time a quantity of liquor greater than five gallons."

Amend Section 53 by inserting between the word "The" and "County" in line 2, page 30 of the original bill and line 8 of Section 53 in the printed bill, the words "Board of".

And further amend Section 53 by striking out at the end of the Section the words "by the last assessment roll of the county," or, as amended, "by the registry list of the county" and inserting in lieu thereof the following: "from the roll of registered electors of the territory affected."

Amend Section 54 by striking out the words "Regulations; Qualifications of Voters."

And further amend Section 54 by inserting after the word "Board" in line 8, page 30 of the original bill and line 3 of Section 54 of the printed bill, the words "of County Commissioners."

Amend Section 56 by striking out all of the section following the words "general election" and inserting in lieu thereof the words "laws of the state."

Amend Section 57 by striking out the word "chapter" in line 26, page 30 of the original bill and line 4 of Section 57 in the printed bill, and inserting in lieu thereof the words "Act shall."

And further amend Section 57 by striking out at the end of the section the words "no license must be issued pending the publication" and inserting in lieu thereof the words "thereupon all existing licenses shall be cancelled."

Amend Section 60 by striking out the word "Chapter" in line 6, page 31 of the original bill, and line 2 of Section 60 in the printed bill, and inserting in lieu thereof the word "Act."

And further amend Section 60 by striking out at the end of the section the words "Revised Codes of Montana of 1921" and inserting in lieu thereof the words "General Laws."

Amend by striking out all of Section 66 and inserting in lieu thereof the following:

"No check or time check or other evidence of indebtedness given in payment of wages earned for labor shall be cashed or negotiated in any place licensed for the sale of liquor under the provisions of this Act."

Amend Section 80 by striking out the words "this Act" in line 22, page 36 of the original bill and line 2 of Section 80 in the printed bill, and inserting in lieu thereof the words "the law."

Amend Section 81 by striking out the words "this Act" in line 23, page 37 of the original bill, and line 16 of Section 81 in the printed bill, and inserting in lieu thereof the words "the law".

Amend by striking out all of Section 82 and all of Section 92.

Amend Section 93 to read as follows:

"Whenever an inspector or any peace officer in making or attempting to make a search under and in pursuance of authority of law, shall find in any motor vehicle, motor car, automobile, vessel, boat, canoe, or conveyance of any description liquor which is unlawfully kept or had, or kept or held for unlawful purposes contrary to the provisions of this Act, he may forthwith seize the liquor and packages in which the same is contained, and the motor vehicle, motor car, automobile, vessel, boat, canoe or conveyance in which such liquor is found; and upon the conviction of the occupant or person in charge of the vehicle, motor car, automobile, vessel, boat, canoe or conveyance, or of any other person, for having or keeping such liquors contrary to any of the provisions of this Act in any such vehicle, motor car, automobile, vessel, boat, canoe or conveyance, the court in which the conviction of any such person is had may, in addition to the sentence imposed under authority of law, declare the liquor or any part thereof so seized, and the package in which the same is contained, to be forfeited to the State of Montana; and the court may in and by decree, further declare the vehicle, motor car, automobile, vessel, boat, canoe or conveyance so seized to be forfeited to the State of Montana."

Amend by striking out all of Section 115 and inserting in lieu thereof the following:

"The net profits derived from time to time, after providing the money required for the purpose of the reserve fund and the administration of this Act, shall be by the State Treasurer distributed as follows: One-half thereof shall be transferred to the General Fund of the State, and the remaining one-half shall be apportioned to the various counties and cities located in such counties and distribution thereof made to the county and to the cities in such county in proportion to the amount of fees, charges, taxes and penalties collected under the provisions of this Act from the several counties and cities located therein."

Amend Section 120 to read as follows:

"This Act shall go into full force and effect at such time as the manufacture, importation and sale of distilled or vinous liquors, or either or any of them for beverage purposes, shall become lawful under the Constitution and Laws of the United States; it being hereby declared that this Act is intended as a companion measure to an Act Entitled: "An Act to Provide for the Licensing and Regulation, Manufacture, Sale and Distribution of Beer and Other Similar Fermented Beverages, and for the Raising and Disposition of Revenue Therefrom," which latter Act is to become effective at such time as the Congress of the United States shall pass a law declaring that beer with an alcoholic content of at least three per centum (3%) by weight is non-intoxicating; it being the purpose and intention of this Act to control and regulate the sale of distilled and vinous liquors and beer at such time as the Constitution of the United States shall permit, and not to interfere with the regulatory measures provided for the sale of beer and other similar fermented beverages at such time as the Congress of the United States shall make change in the provision of the law determining the alcoholic content permitted for sale of beer and malt extracts; it being further declared to be the intention of this Act that it shall be administered and applied in conjunction with said Act above designated, regulatory of the sale and distribution of beer and other fermented beverages, the impelling thought being that the

Congress of the United States will modify the present existing law respecting the alcoholic content of beer and other fermented beverages before a repeal shall have been accomplished of the Eighteenth Amendment to the Constitution of the United States.

Amend by inserting a new section between Section 120 and Section 121 of the bill, to read as follows:

"Anyone violating any of the provisions of this Act shall be guilty of a misdemeanor and be subject to punishment not exceeding Five Hundred Dollars (\$500.00) fine or six (6) months' imprisonment, either or both; except where other penalties or punishment is herein expressly provided.

Amend Senate Bill No. 153 by renumbering the sections consecutively after the foregoing eliminations and insertions have been made.

And when so amended it is recommended that Senate Bill No. 153 be placed on General Orders.

GROENE, Chairman."

On motion by Groene, report adopted.

Moss: Move the House now recess until 2:15 o'clock this afternoon. Seconded. Carried.

AFTERNOON SESSION

House resumed at 2:10 o'clock p. m.
Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Conference Committee of the Senate and the House having had under consideration House Bill No. 208: A Bill for an Act Entitled: "An Act to amend Section 2435 of the Revised Codes of Montana of 1921 relating to licenses on certain businesses including the sale of cigarettes."

Respectfully report and recommend as follows: That House Bill No. 208 be amended as follows:

Recommend the following amendments—Amend House Bill 208 by striking out in Section 1, line 3 after the number "2435" the following: "Oleomargarine, Cigarettes—Warehouses. Every person, company, or corporation selling oleomargarine, butterine, or imitation of cheese, shall pay a license of one per cent per pound for all these articles sold."

And insert a new section to be known as Section 2, the following:

"Section 2. Nothing in this Act is intended to affect or shall affect the provisions of Chapter 93 of the Session Laws of the Twenty-first Legislative Assembly of the State of Montana."

Change Section 2 on the original Bill to read as Section 3, and Section 3 to read as Section 4.

Recommend that House Bill 208 be concurred in as amended.

For the House:

METLEN,
LARSEN,
SHANNON.

For the Senate:

COOPER,
PAGE,
GARBER."

Shannon: Move the adoption of the report. Seconded.

The roll was called, which resulted in the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harlen, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, O'Connell, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 76.

Noes: Groene (Fergus), Haight, Miller (Lincoln), Pierson, Rolph, Stevens (Wheatland), Strange. Total 7.

Absent and not voting: Annin, Ballard, Beadle, Cusker, Fitzstephens, Harrington, McDermott, Nass, Nelstead, Nutting, O'Shea, Rearden (Cascade), Reardon (Deer Lodge), Roll, Spangler, Sullivan, Waite, Woodcock. Total 18.

The Speaker: Seventy-six have voted "aye", 7 have voted "no"; the report of the Conference Committee on Senate Amendments to House Bill No. 208 has been adopted.

The Speaker appointed the following Conference Committee on Senate Amendments to Substitute House Bill No. 237:

Ueland of Sheridan, O'Connell of Silver Bow, Byrne of Toole.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 4.

Pierson of Yellowstone, Groene of Fergus, Nelstead of Carter.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Select Committee on Resolution by the House of Representatives, commemorating the death of Senator T. J. Walsh, submit the following resolution:

RESOLUTION BY THE HOUSE OF REPRESENTATIVES, STATE OF MONTANA

WHEREAS, It has pleased the Great Ruler of the Universe to call from the scene of his earthly labors, that distinguished Montanan and American, Thomas J. Walsh, senior United States Senator from Montana.

AND WHEREAS, his death has come as a profound shock to the citizens of Montana and to millions of his fellow countrymen,

NOW THEREFORE, BE IT RESOLVED, by the House of Representatives of the State of Montana, that we express on behalf of ourselves and of the people of the state that he served, our sense of great loss in his passing. His public career reflected credit upon the State and Nation, a career ever marked by unflinching fidelity to right and justice, and a devotion to the common good, that won for him a justly high position among the statesmen of his time. His patriotism, his high courage, his unfailing response to the call of duty, will long remain as beacon lights to the people of Montana.

His work is finished—and in common with our fellow citizens we bow with respect and reverence, in feeble tribute to his memory.

AND BE IT FURTHER RESOLVED, that this Resolution be entered upon the Journal of this House, and that copies thereof be sent to the widow and daughter, of our distinguished dead, as token of high esteem and sincere sympathy.

ALBERT BESANCON,
JERRY J. O'CONNELL,
G. M. MOSS, Committee."

On motion by Moss, resolution adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the messages from the Senate be considered read at length, and the Journal so show.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, at the request of the House for a Conference Committee to confer with a like Committee from the House for consideration of Senate amendments to H. B. No. 83, appointed the following Senators to act as such Conference Committee:

Senators Pauline, Ruffcorn and Sparling.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, at the request of the House for a Conference Committee to confer with a like Committee from the House for consideration of Senate amendments to H. B. No. 208, appointed the following Senators to act as such Conference Committee:

Senators Cooper, Page and Garber.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on motion, at the request of the House for a Conference Committee to confer with a like Committee from the House for consideration of Senate Amendments to H. B. No. 305, appointed the following Senators to act as such Conference Committee:

Senators Donovan, Galt and Himsel.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 206, by Highways Committee, was this day recommended for indefinite postponement, by the Senate Committee of the Whole, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. H. B. No. 113, by Committee on Revenue and Taxation, was this day reported back from the Senate Committee on Taxation without recommendation, and on motion, further action indefinitely postponed; bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 331, by Committee on Ways and Means, was this day read three several times and concurred in, title and history agreed to, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 134, by Pilgeram, was this day recommended for non-concurrence by the Senate Committee on Mines and Mining, report adopted and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 203 be amended in Section 1, as amended by the Committee on Roads and Highways, by striking out after the word, "operation," the words, "upon any highway maintained by the National Park Service or for any operation."

Amend in Section 1, as amended by the Committee on Roads and Highways, by striking out after the word, "thereof," the words, "but shall apply to all carriers operating through or from any city or town."

Amend by striking out all of Section 1 down to and including the first word, "and", in line 4 of the printed bill.

Amend bill, as amended by the Committee on Roads and Highways, by striking out all of Section 1-A, which reads as follows:

"Section 1-A. This Act shall not apply to private motor carriers of property who shall operate wholly within any city, town or village of this state or within a radius of six miles of the corporate limits of such city, town or village, or to the producer transporting his own livestock or farm products to market in his own motor vehicle, or the exchange of farmers motor vehicles engaged in harvesting or marketing other than for hire, or to persons, firms, concerns or corporations engaged in the construction, maintenance or repair of any public highways of this state."

Amend bill, as amended by the Committee on Roads and Highways, by striking out all of Section 1-B, which reads as follows:

"Section 1-B. Nothing in this Act shall be construed as affecting the operation of school busses which are used in conveying school children to and from district or other schools, or to the transportation of freight or passengers by motor vehicles when done occasionally and not as a regular business, or to the transportation by means of motor vehicles in the regular course of business of employees, supplies, and materials by any person, firm or corporation engaged exclusively in the construction or maintenance of highways, or engaged exclusively in logging or mining operations, insofar as the use of employees, supplies and materials in construction and production is concerned."

Amend Section 1 by adding at the end of said Section the following words: "Nothing in this Act shall be construed as affecting the operation of busses which are used in conveying school children to and from district or other schools; nor shall this Act apply to the producer transporting his own livestock or farm products to market in his own motor vehicle nor to any person transporting supplies for his own use in his own motor

vehicle, or to the exchange of farmers motor vehicles engaged in harvesting or marketing, or to persons, firms, concerns or corporations engaged in the construction, maintenance or repair of any public highways of this state."

Amend in Section 1 by striking out the period at the end of said section and substituting a comma, and adding the following: "or to any person or firm transporting his own merchandise in his own vehicle."

Amend Section 2 by striking therefrom the following words in lines 2 and 3 of the printed bill: "and every private motor carrier of property," and by inserting between the words, "carrier," and "Class C", the word, "and".

Amend by striking out the word, "mileage", in line 4 and inserting in lieu thereof the word, "compensatory."

Amend by striking out the word, "mileage," in line 6 and inserting in lieu thereof the word, "compensatory."

Amend by striking from Section 2 all the words and figures in lines 8 to 32, inclusive, and inserting in lieu thereof the following:

"For every motor vehicle which shall be operated by such carrier on the public highways of this state that are not exempt under the provisions of this Act, a sum that shall bear the following relation to the state registration or license plate fee provided for the State of Montana:

For each truck or bus of a manufacturer's rated capacity of:

| | |
|--|------|
| Not over 1½ tons | 75% |
| Over 1½ tons but not over 2 tons | 100% |
| Over 2 tons but not over 3 tons | 100% |
| Over 3 tons but not over 5 tons | 150% |
| Over 5 tons | 200% |

Said taxes shall become due and payable to the Board of Railroad Commissioners of the State of Montana on or before the fifteenth day of March, 1933, and thereafter on the first day of January of each succeeding year, or when any such motor vehicle shall begin operating upon the highways of this state.

Upon payment of such tax the Board shall furnish for each vehicle suitable markers or plates bearing a distinctive number assigned to such vehicle which shall be displayed upon said vehicle at all times."

Amend in Section 2 by striking out in line 4, printed bill, the words, "tax" and inserting in lieu thereof the words, "license fees."

Amend in Section 2 by striking out in line 6 the word, "tax," and inserting in lieu thereof the words, "license fees."

Amend Section 3 by striking out in line 1 the words, "mileage," and by striking out all of line 3 and placing a period at the end of line 2.

Amend in Section 3 by striking out in line 1 the word, "tax," and inserting in lieu thereof the words, "compensatory license fees."

Amend in Section 4 by striking out all of Section 4 in the printed bill and inserting in lieu thereof the following:

"Section 4. Every motor carrier engaged in seasonal operations or where its said operations do not extend continuously over a period of not to exceed six months in any calendar year shall only be required to pay one-half of the compensatory tax herein provided, and, provided, further that the tax herein imposed shall not apply to motor vehicles maintained and used by a motor carrier as standby or emergency equipment. The Board shall have the power and it is hereby made the duty to determine what motor vehicles shall be classed as standby or emergency equipment."

Amend in Section 4 by striking out in line 6 of the amendment after the word, "compensatory," the word, "tax," and inserting in lieu thereof the words, "License Fees."

Amend in Section 4 by striking out in line 7 of the amendment, after the word, "the", the word, "tax", and inserting in lieu thereof the words, "License Fees."

Amend in Section 4 by adding after the word, "carrier," in line 1, the words, "except as heretofore exempted."

Amend by striking from the printed bill all of Sections 5, 6, 7, 8 and 9 and renumbering succeeding Sections accordingly.

Amend in Section 11 by changing the figure "8," in line 4 to the figure "5".

Amend in Section 13 by striking out all of Section 13.

Amend by striking out all amendments made to said bill by the Senate Committee on Roads and Highways, except the Committee amendment amending Section 2, by striking from Page 2, lines 25, 26 and 27, the following: "nothing in this Act shall be construed to apply to highways in territories not served by railroads."

Amend in Section 14 by adding after the word, "carriers", in line 3 of the printed bill, the following: "any person, persons or corporations violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum not exceeding \$500.00 or by imprisonment in the County Jail for not more than six months, or by both such fine and imprisonment."

Amend in Section 2, as amended, by striking out after the word, "said," the word, "taxes," and inserting in lieu thereof the words, "license fees."

Amend in Section 2, as amended, by striking out after the word, "such," the word, "tax", and inserting in lieu thereof the words, "license fees."

Amend in Section 7 by striking out in line 4 the word, "taxes," and inserting in lieu thereof the words, "compensatory license fees." On motion, duly seconded and carried, the word, "compensatory," was stricken from the amendment immediately preceding.

Amend in Section 2, as amended, by inserting after the word, "truck", in line 14, the words, "trailers or semi-trailer."

And as so amended, recommend said bill be concurred in.

That consideration of H. B. No. 204 be indefinitely postponed.

That consideration of H. B. No. 206 be indefinitely postponed.

That H. B. No. 331 be concurred in.

Respectfully,

J. F. CONE,
Secretary.

Senate Committee on Finance and Claims, Amendments to H. B. No. 220:

Amend title by striking out the words, "Central Accounting Department and Central Accounting System in and for the State of Montana for all," in lines 5 and 6, original bill, and inserting in lieu thereof the words, "Centralized Accounting System under the Board of Examiners for certain."

Amend Section 1 by striking out the entire section, lines 10 to 20 inclusive, original bill, and inserting in lieu thereof the following: "There is hereby established in and for the State of Montana, a Centralized System of Accounting for certain departments, bureaus, institutions, boards and other agencies as hereinafter provided, which system shall be under the control of the State Board of Examiners. The State Accountant shall install and operate said Central Accounting System in his office in the State Capitol. The State Accountant shall execute a bond for the faithful discharge of the duties of his office, the amount of the bond to be fixed by the State Board of Examiners. In addition to the present salary

of the State Accountant, he shall receive in consideration of his duties as herein provided, an annual salary of five hundred dollars (\$500.00) to be paid in twelve (12) equal monthly installments, and as provided by law."

Amend Section 2 by striking out in line 21, original bill, the word, "accountant," and inserting in lieu thereof the words, "Board of Examiners"; in line 22, by striking out the word, "his" the first time it is used, and inserting in lieu thereof the word "its"; in line 22, original bill, by striking out the word, "his", the second time it is used, and inserting in lieu thereof the word, "the"; in line 23, after the word, "office" inserting the words "of the State Accountant"; in line 23 by striking out the word, "State" which is used before the word "Capitol"; in line 25 by inserting the words, "State Highway Commission and other," after the words, "except the"; in line 26, after the word, "are", inserting the word, "now."

Amend Section 5 by striking out the entire section and inserting in lieu thereof the following:

"There is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, from the General Fund of the State, the following sums, or so much thereof as may be necessary under this Act:

For salaries and expenses for the fiscal year, July 1, 1933, to June 30, 1934, Six Thousand Dollars (\$6,000.00).

For salaries and expenses for the fiscal year, July 1, 1934 to June 30, 1935, Six Thousand Dollars (\$6,000.00)."

Amend by inserting a new section to be known as Section 6 to read as follows:

"Section 6. Nothing herein contained shall in any way be construed as altering, modifying or changing the laws providing for, or relating to the State Purchasing Department or the State Purchasing Agent in regard to the approval of claims."

Amend by renumbering Section 6 to read Section 7; Section 7 to read Section 8."

MOTIONS AND RESOLUTIONS

Rognlien: Move House Joint Resolution No. 8 be considered correctly printed and placed on General Orders. Seconded. Carried.

Nelstead: Move the Chief Clerk be instructed to compile and furnish each member of both the House and Senate a mimeographed copy of the status of each House Bill, on adjournment sine die. Seconded. Carried.

THIRD READING OF SENATE BILLS

Senate Amendments to House Bill No. 319, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecck, Jensen, Kruse, Kuhl, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Rear-don (Deer Lodge), Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Annin, Ballard, Cusker, Harrington, Knowles, Larsen, Lewis, Love, O'Connell, Rearden (Cascade), Shannon, Spangler, Sullivan, Whaley, Woodcock. Total 15.

The Speaker: Eighty-six have voted "aye," none have voted "no"; Senate Amendments to House Bill No. 319 have been concurred in by the House.

Senate Amendments to House Bill No. 263, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Lewis, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Annin, Chapman, Cusker, Freed, Knowles, Larsen, Love, Mason, Miles, Rearden (Cascade), Reardon (Deer Lodge), Rolph, Shannon, Sullivan, Whaley, Woodcock. Total 16.

The Speaker: Eighty-five have voted "aye," none have voted "no"; Senate Amendments to House Bill No. 263 have been concurred in by the House.

Senate Amendments to House Bill No. 220, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Hilger, Jensen, Kruse, Kuhl, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Pierson, Pilgeram, Porter, Quamme, Ragen, Replogle, Rognlien, Roll, Schuster, Setzer, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), White, Wigal, Mr. Speaker. Total 80.

Noes: Lewis, Miles, Miller (Big Horn), Strange, Whaley. Total 5.

Absent and not voting: Annin, Byrne, Chapman, Cusker, Haight, Holecek, Knowles, Larsen, Parker (Broadwater), Ralston, Rearden (Cascade), Reardon (Deer Lodge), Rolph, Shannon, Sullivan, Woodcock. Total 16.

The Speaker: Eighty have voted "aye," 5 have voted "no"; Senate Amendments to House Bill No. 220 have been concurred in by the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 23, 234, 282, 73, 158, 114, 261, 184, Substitute House Bill No. 264.

LARSEN, Chairman."

Without objection, report adopted.

The Speaker gave notice that he was about to sign House Bill No. 23, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 234, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 282, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 73, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Substitute House Bill No. 264, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 158, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 114, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 261, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 184, and thereupon signed the same in the presence of the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Metlen of Beaverhead in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Amendments to House Bill No. 166, Senate Bill No. 198, House Joint Resolution No. 8, Senate Bill No. 153, respectfully report and recommend as follows:

That Senate Amendments to House Bill No. 166 be not concurred in, but that a conference committee be requested;

That Senate Bill No. 198 be amended as follows: In Section 5, line 10, by placing a square in front of the words "in favor of" and another square in front of the words "opposed to." In this square the elector shall place an "X" in the square on the side of the question for which he desires to vote, and as so amended, the bill be concurred in.

That House Joint Resolution No. 8 be adopted.

That Senate Bill No. 153 be concurred in.

METLEN, Chairman."

On motion by Metlen, report adopted.

The Speaker appointed the following conference committee: On Senate Amendments to House Bill No. 166: Mulholland of Silver Bow, Beadle of Silver Bow, Love of Dawson.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your conference committee, appointed to consider Senate Amendments to House Bill No. 305, respectfully report and recommend that said amendments be concurred in.

DONOVAN,
GALT,
HIMSL,

For the Senate.

METLEN,
McCARVEL,
NELSTEAD,

For the House.

Metlen: Move the report be adopted. Seconded.

Fowler: Move as a substitute motion that the report of the conference committee be not adopted and a new conference committee be appointed. Seconded. Carried.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a conference committee with a like committee from the House for consideration of Senate Amendments to Sub. House Bill No. 237: Senators Walker, Kemmis and Kelsey.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a conference committee with a like committee from the House for consideration of Senate Amendments to House Bill No. 4: Senators Ruffcorn, Coburn and Rowland.

Respectfully,

J. F. CONE,
Secretary.

The Speaker gave notice that he was about to sign House Bill No. 97, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 341, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 165, and thereupon signed the same in the presence of the House.

MOTIONS AND RESOLUTIONS

Rognlien: Move that House Joint Resolution No. 8 be considered correctly engrossed and placed on Third Reading. Seconded. Carried.

Byrne: Move to reconsider the action of yesterday on Senate Bill No. 40. Seconded.

A roll call was demanded, and that the ayes and noes be entered on the Journal.

A call of the House was demanded, and on roll call, all members were present except ten, and on motion the absentees were excused and further proceedings under the call of the House were dispensed with.

The motion of Byrne was thereupon put to vote, and the roll was called resulting in the following vote:

Ayes: Acher, Anderson, Besancon, Bjerneby, Byrne, Chapman, Conner, Daugherty, Duffy, Fowler, Freed, Green (Dawson), Haight, Harlen, Hilger, Jensen, Kruse, Kuhl, Lewis, Love, Marshall, Miles, Miller (Big Horn), Nass, Parker (Flathead), Pilgeram, Quamme, Replogle, Rognlien, Setzer, Sparling, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Watson (Meagher). Total 38.

Noes: Abrahamson, Arnold, Balgord, Ballard, Beadle, Blankenbaker, Breitenstein, Campbell, Cusker, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Haggerty, Harrington, Larsen, Logan, Lott, McCarvel, McDermott, McElwain,

Manning, Mason, Metlen, Miller (Lincoln), Moss, Mulholland, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Porter, Ragen, Ralston, Reardon (Deer Lodge), Schuster, Snidow, Somerville, Spangler, Stephens (McCone), Sullivan, Whaley, Wigal, Mr. Speaker. Total 52.

Absent and not voting: Annin, Holecek, Knowles, Nelstead, Rearden (Cascade), Roll, Shannon, Waite, Watson (Missoula), White, Woodcock. Total 11.

The Speaker: Thirty-eight have voted "aye," 52 have voted "no"; the motion is lost.

THIRD READING OF SENATE BILLS

Senate Bill No. 153, introduced by Walker and Donovan, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Harrington, Jensen, Kuhl, Larsen, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Ragen, Ralston, Reardon (Deer Lodge), Rognlien, Rolph, Schuster, Setzer, Snidow, Somerville, Spangler, Stephens (McCone), Stevens (Wheatland), Sullivan, Trenne, Watson (Meagher), Whaley, Wigal, Mr. Speaker. Total 71.

Noes: Hilger, Lewis, Love, Pierson, Porter, Quamme, Sparling, Strange, Ueland. Total 10.

Absent and not voting: Annin, Arnold, Campbell, Freed, Haight, Holecek, Knowles, Kruse, Miller (Big Horn), Nass, Nelstead, Parker (Flathead), Rearden (Cascade), Replogle, Roll, Shannon, Stiefel, Waite, Watson (Missoula), White, Woodcock. Total 21.

The Speaker: Seventy-one have voted "aye," 9 have voted "no"; Senate Bill No. 153 has been concurred in by the House.

Senate Bill No. 198, introduced by Donovan and Walker, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Arnold, Balgord, Ballard, Beadle, Besancon, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Duffy, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Jensen, Kuhl, Logan, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Mulholland, Nutting, O'Connell, Parker (Broadwater), Pilgeram, Porter, Ragen, Reardon (Deer Lodge), Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stephens (McCone), Stiefel, Strange, Sullivan, Trenne, Ueland, Whaley, Wigal, Mr. Speaker. Total 67.

Absent and not voting: Bjerneby, Findlater, Green (Dawson), Lewis, Love, Miller (Big Horn), Nass, O'Shea, Parker (Flathead), Pierson, Ralston, Rognlien. Total 12.

Absent and not voting: Anderson, Annin, Doran, Holecek, Knowles, Kruse, Larsen, Miller (Lincoln), Moss, Nelstead, Quamme, Rearden (Cascade), Replogle, Roll, Rolph, Sparling, Stevens (Wheatland), Waite, Watson (Meagher), Watson (Missoula), White, Woodcock. Total 22.

The Speaker: Sixty-seven have voted "aye," 12 have voted "no"; Senate Bill No. 198 has been concurred in by the House.

The Speaker: The House will please take notice that the Speaker is about to sign House Bill No. 258.

THIRD READING OF HOUSE BILLS

House Joint Resolution No. 8, introduced by Breitenstein and Rognlien, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Beadle, Besancon, Bjorneby, Breitenstein, Byrne, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kuhl, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Mason, Miller (Lincoln), Nass, Nutting, O'Connell, Parker (Flathead), Parker (Broadwater), Quamme, Rognlien, Rolph, Schuster, Setzer, Shannon, Somerville, Stephens (McCone), Stevens (Wheatland), Stiefel, Sullivan, Trenne, Watson (Meagher), Whaley, Wigal, Mr. Speaker. Total 68.

Noes: Pierson, Ralston, Reardon (Deer Lodge). Total 3.

Absent and not voting: Annin, Ballard, Blankenbaker, Fowler, Knowles, Kruse, Larsen, Marshall, Metlen, Miles, Miller (Big Horn), Moss, Mulholland, Nelstead, O'Shea, Pilgeram, Porter, Ragen, Rearden (Cascade), Replogle, Roll, Snidow, Spangler, Sparling, Strange, Ueland, Waite, Watson (Missoula), White, Woodcock. Total 30.

The Speaker: Sixty-eight have voted "aye," 3 have voted "no"; House Joint Resolution No. 8 has passed the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Beadle of Silver Bow in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Amendments to Substitute House Bill No. 70, Senate Amendments to House Bill No. 161, respectfully report and recommend as follows:

That Senate Amendments to Substitute House Bill No. 70 be concurred in.

That Senate Amendments to House Bill No. 161 be not concurred in, but that a conference committee be requested.

BEADLE, Chairman."

On motion by Beadle, report adopted.

THIRD READING OF SENATE BILLS

Senate Amendments to Substitute House Bill No. 70, having been read three several times, were concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Doe, Duffy, Ecton, Ferry, Findlater, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Harlen, Hilger, Jensen, Kuhl, Larsen, Lewis, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Miles, Miller (Lincoln), Mulholland, Nutting, O'Shea, Parker (Broadwater), Pierson, Porter, Quamme, Ragen, Rognlien, Rolph, Schuster, Snidow, Somerville, Spangler, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Strange, Ueland, Whaley, Wigal, Mr. Speaker. Total 66.

Noes: None.

Absent and not voting: Annin, Balgord, Cusker, Daugherty, Doran, Fitzstephens, Groene (Fergus), Haight, Harrington, Holecek, Knowles, Kruse, Logan, Metlen, Miller (Big Horn), Moss, Nass, Nelstead, O'Connell, Parker (Flathead), Pilgeram, Ralston, Rearden (Cascade), Reardon (Deer Lodge), Replogle, Roll, Setzer, Shannon, Sullivan, Trenne, Waite, Watson (Meagher), Watson (Missoula), White, Woodcock. Total 35.

The Speaker: Sixty-six have voted "aye," none have voted "no"; Senate Amendments to House Bill No. 70 have been concurred in by the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bill correctly enrolled: House Bill No. 258.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 97, 341 and 165.

MULHOLLAND, Vice-Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 23, 234, 282, 73, 158, 114, 184, 261, 184, Substitute House Bill No. 264, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:50 P. M., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration Senate Bill No. 30, a Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article V of the Constitution of the State of Montana, by adding thereto a section to be known as Section 46, providing for a state budget and the manner in which appropriations shall be made by the Legislative Assembly," respectfully report and recommend as follows: That Senate Bill No. 30 be concurred in.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

"Mr. Speaker: We, your Committee on Constitutional Amendments, having had under consideration Senate Bill No. 151, a Bill for an Act entitled: "An Act to provide for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 8, authorizing the Legislature, by a general or special law, to provide for the abandonment, abolishment and termination, or consolidation, of counties and for the termination of the terms of office of officers in counties so abandoned, abolished, terminated or consolidated," respectfully report and recommend as follows: That Senate Bill No. 151 be not concurred in.

O'CONNELL, Chairman."

On motion by O'Connell, report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the messages from the Senate be considered read at length, and that the Journal so show. Seconded . Carried.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the conference committee of the House and Senate, appointed for consideration of Senate amendments to H. B. No. 208, was this day, on roll call, adopted.

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 93, by Goodwin, Freudenstein, Beadle and Harrington, was this day recommended for indefinite postponement by the Senate Committee of the Whole, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Besancon: Move the House now recess until 8:00 o'clock P. M.

EVENING SESSION

House resumed, pursuant to recess, at 8:00 o'clock P. M.

Mr. Speaker in the Chair.

The Speaker appointed the following conference committees:

On S. A. H. B. No. 305: Watson (Meagher), Fowler (Yellowstone), Ralston (Glacier).

On S. A. H. B. No. 328: Metlen, Somerville, Ueland.

On S. A. H. B. No. 161: Metlen, Somerville, Findlater.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 203, by Committee on Highways, was this day read three several times and concurred in as amended, and bill is herewith returned to the House for concurrence in Senate amendments:

Amend in Section 1, as amended by the Committee on Roads and Highways, by striking out after the word, "operation," the words, "upon any highway maintained by the National Park Service or for any operation."

Amend in Section 1, as amended by the Committee on Roads and Highways, by striking out after the word, "thereof," the words, "but shall apply to all carriers operating through or from any city or town."

Amend by striking out all of Section 1 down to and including the first word "and" in line 4 of the printed bill.

Amend bill, as amended by Committee on Roads and Highways, by striking out all of Section 1-A, which reads as follows:

"Section 1-A. This Act shall not apply to private motor carriers of property who shall operate wholly within any city, town or village of this state or within a radius of six miles of the corporate limits of such city, town or village, or to the producer transporting his own livestock or farm products to market in his own motor vehicle, or the exchange of farmers motor vehicles engaged in harvesting or marketing other than for hire, or to persons, firms, concerns or corporations engaged in the construction, maintenance or repair of any public highways of this state."

Amend bill, as amended by Committee on Roads and Highways, by striking out all of Section 1-B, which reads as follows:

"Section 1-B. Nothing in this Act shall be construed as affecting the operation of school busses which are used in conveying school children to and from district or other schools, or to the transportation of freight or passengers by motor vehicles when done occasionally and not as a regular business, or to the transportation by means of motor vehicles in the regular course of business of employees, supplies, and materials by any person, firm, or corporation engaged exclusively in the construction or maintenance of highways, or engaged exclusively in logging or mining operations, insofar as the use of employees, supplies and materials in construction and production is concerned."

Amend Section 1 by adding at the end of said section the following: "nothing in this Act shall be construed as affecting the operation of busses which are used in conveying school children to and from district or other schools; nor shall this Act apply to the producer transporting his own livestock or farm products to market in his own motor vehicle nor to any person transporting supplies for his own use in his own motor vehicle, or the exchange of farmers motor vehicles engaged in harvesting or marketing, or to persons, firms, concerns or corporations engaged in the construction, maintenance or repair of any public highways of this state."

Amend Section 1 by striking out the period at the end of said section, and substituting a comma, and adding the following: "or to any person or firm transporting his own merchandise in his own vehicle."

Amend Section 2 by striking therefrom the following words in lines 2 and 3, printed bill: "and every private motor carrier of property," and by inserting between the words, "carrier," and "Class C", the word, "and."

Amend by striking out the word, "mileage," in line 4 and inserting in lieu thereof the word, "compensatory."

Amend by striking out the word, "mileage," in line 6 and inserting in lieu thereof the word, "compensatory."

Amend by striking from Section 2 all the words and figures in lines 8 to 32 inclusive, and inserting in lieu thereof the following:

"For every motor vehicle which shall be operated by such carrier on the public highways of this state that are not exempt under the provisions of this Act, a sum that shall bear the following relation to the state registration or license plate fee provided for the State of Montana:

For each truck or bus of a manufacturer's rated capacity of:

| | |
|--|------|
| Not over 1½ tons | 75% |
| Over 1½ tons and not over 2 tons | 100% |
| Over 2 tons and not over 3 tons | 100% |
| Over 3 tons and not over 5 tons | 150% |
| Over 5 tons | 200% |

Said taxes shall become due and payable to the Board of Railroad Commissioners of the State of Montana on or before the Fifteenth day of March, 1933, and thereafter on the first day of January of each succeeding year, or when any such motor vehicle shall begin operating upon the highways of this state.

Upon payment of such tax the Board shall furnish for each vehicle suitable markers or plates bearing a distinctive number assigned to such vehicle which shall be displayed upon said vehicle at all times."

Amend Section 2 by striking out in line 4, printed bill, the word, "tax", and inserting in lieu thereof the words, "License Fees."

Amend Section 2 by striking out in line 6, the word, "tax" and inserting in lieu thereof the words, "License Fees."

Amend Section 3 by striking out in line 1 the word, "mileage" and by striking out all of line 3, and placing a period at the end of line 2.

Amend Section 3 by striking out in line 1 the word, "tax", and inserting in lieu thereof the words, "compensatory license fees."

Amend Section 4 by striking out all of Section 4 in the printed bill, and inserting in lieu thereof, the following:

"Section 4. Every motor carrier engaged in seasonal operations or where its said operations do not extend continuously over a period of not to exceed six months in any calendar year shall only be required to pay one-half of the compensatory tax herein provided, and, provided, further, that the tax herein imposed shall not apply to motor vehicles maintained and used by a motor carrier as standby or emergency equipment. The Board shall have the power and it is hereby made its duty to determine what motor vehicles shall be classed as standby or emergency equipment."

Amend in Section 4 by striking out in line 6 of the amendments after the word, "compensatory," the word, "tax", and inserting in lieu thereof the words, "License Fees."

Amend in Section 4 by striking out in line 7 of the amendment after the word, "the," the word, "tax," and inserting in lieu thereof the words, "License Fees."

Amend in Section 4 by adding after the word, "carrier," in line 1, the words, "except as heretofore exempted."

Amend by striking from the printed bill all of Sections 5, 6, 7, 8 and 9 and have all succeeding sections numbered accordingly.

Amend in Section 11 by changing the figure "8" in line 4 to the figure "5".

Amend in Section 13 by striking out all of Section 13.

Amend by striking out all amendments made thereto by the Senate Committee on Roads and Highways, except the Committee Amendment amending Section 2, by striking from page 2, lines 25, 26 and 27 the following: "Nothing in this Act shall be construed to apply to highways in territories not served by railroads."

Amend by adding in Section 14 after the word, "carriers" in line 3, printed bill, the following: "any person, persons or corporations violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum not exceeding \$500.00 or by imprisonment in the County Jail for not more than six months, or by both such fine and imprisonment."

Amend in Section 2, as amended, by striking out after the word "said", the word, "taxes," and inserting in lieu thereof the words, "License Fees."

Amend in Section 2, as amended, by striking out after the word, "such", the word, "tax," and inserting in lieu thereof the words, "License Fees."

Amend in Section 7 by striking out in line 4 the word, "taxes," and inserting in lieu thereof the words, "compensatory license fees." On motion, duly seconded and carried, the word, "compensatory," was stricken from the amendment immediately preceding.

Amend in Section 2, as amended, by inserting after the word, "truck", in line 14, the words, "trailer or semi-trailer."

Respectfully,

J. F. CONE,
Secretary.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 47 be concurred in.

That H. B. No. 121 be concurred in.

That consideration of H. B. No. 155 be indefinitely postponed.

That H. B. No. 70 be concurred in.

That H. B. No. 287 be concurred in.

That H. B. No. 238 be concurred in.

That consideration of H. B. No. 339 be passed temporarily.

That H. B. No. 344 be concurred in.

That H. B. No. 345 be concurred in.

That H. B. No. 162 be concurred in.

That consideration of H. B. No. 93 be indefinitely postponed.

Respectfully,

J. F. CONE,
Secretary.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sitting. Seconded. Carried.

Miller of Lincoln in the Chair.

Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration S. B. No. 30 and S. A. H. B. No. 203, respectfully report and recommend as follows:

That S. B. No. 30 be concurred in.

That S. A. H. B. No. 203, amendments be not concurred in and a conference committee be requested.

MILLER, Chairman."

On motion by Miller, report adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 30, introduced by Thien, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Haggerty, Haight, Harlen, Hilger, Holecek, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller, (Big Horn), Miller, Moss, Nass, Nelstead, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Snidow, Somerville, Stephens (McCone), Strange, Sullivan, Trenne, Waite, Watson (Meagher), Whaley, White, Wigal, Mr. Speaker. Total 81.

Noes: O'Connell. Total 1.

Absent and not voting: Annin, Byrne, Freudenstein, Groene (Fergus), Harrington, Jensen, McCarvel, Mulholland, Nutting, Rearden (Cascade), Reardon (Deer Lodge), Shannon, Spangler, Sparling, Stevens (Wheatland), Stiefel, Ueland, Watson (Missoula), Woodcock. Total 19.

The Speaker: Eighty-one have voted "aye", 1 has voted "no"; Senate Bill No. 30 has been concurred in by the House.

The Speaker appointed the following Conference Committee:

On. Senate Amendments to House Bill No. 203:

Groene of Fergus, Spangler of Mineral, Waite of Powder River.

The Speaker gave notice that he was about to sign Senate Bill No. 21, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 25, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 26, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 36, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 62, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 102, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 106, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 132, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 160, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 161, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 165, and thereupon signed the same, in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 172, and thereupon signed the same in the presence of the House.

REPORTS OF SELECT COMMITTEES

REPORT OF A JOINT CONFERENCE COMMITTEE

We, your Joint Conference Committee of the Senate and House, appointed to consider the Garber resolution relating to alleged irregular expenditures approved by the State Board of Examiners for three trips of the Chancellor to Los Angeles, Spokane, and Washington, beg leave to report as follows:

1. We call attention to the opinion of the Attorney General written December 31, 1926 that; "The State Board must authorize trips." We further find that the trip to Los Angeles by the Chancellor was authorized and expenses paid under a provision made prior to the law which forbids traveling expenses to teachers meetings outside the State."

2. The trip to Spokane by the Chancellor was made for the purpose of securing proper accrediting of our Educational Institutions.

3. The trip to Washington was made by the Chancellor in obedience to a resolution passed by the State Board, namely: "That the Chancellor be requested to confer with the chairman of the advisory Committee of the R. F. C. and determine if aid could be gotten."

4. We further find that the purpose of these trips was not contradictory to the statutes relating to expenses. However, the letter of the law requiring the approval of the Board of Education and of the Board of Examiners was not observed by formally authorizing and directing these trips outside the state. The only authorization of these trips was a verbal one made by the Governor and the Attorney General, made without a regular meeting of the Board. While the object of these trips was laudable, the expense thereby contracted did not seem to be authorized by the statutes.

We consider that the purpose of the Resolution has been sufficiently served by this presentation of facts.

Senate:

J. W. CORWIN,
J. KAULBACH,
F. W. DELANEY.

House:

M. R. MARSHALL,
ELDON FREED,
H. D. ROLPH."

Marshall: Move the report be adopted. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 341, 97 and 165, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 8:30 o'clock p. m. delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 258, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 8:30 o'clock p. m., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

March 2nd, 1933.

"Mr. President and Mr. Speaker:

We, your Joint Conference Committee, having under consideration Senate Amendments to House Bill No. 283, respectfully report as follows:

That Sub-Section 10 and 11 of Section 2 be not concurred in, but that in lieu thereof a new Sub-Section No. 10 be inserted to read as follows:

"10. Securities of a corporation where the persons holding the same shall not exceed fifty in number."

And as so amended be concurred in.

For the Senate:

PARKIN,
CHURCH,
WILLIS.

For the House:

FOWLER,
McCARVEL,
GROENE."

Fowler: Move the adoption of the report. Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Campbell, Chapman, Conner, Cusker, Daugherty, Ecton, Ferry, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Quamme, Ralston, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Somerville, Spangler, Sparling, Strange, Trenne, Ueland, Waite, Watson (Meagher), Whaley, White, Wigal, Mr. Speaker. Total 79.

Noes: Duffy, Findlater, Hagerty, Nass, Watson (Missoula). Total 5.

Absent and not voting: Annin, Byrne, Doe, Doran, Lott, Miller (Big Horn), O'Connell, Pierson, Ragen, Rearden (Cascade), Reardon (Deer Lodge), Snidow, Stiefel, Sullivan, Woodcock. Total 15.

The following "passed": Stephens (McCone), Stevens (Wheatland). Total 2.

The Speaker: Seventy-nine have voted "aye", 5 have voted "no", the report of the Conference Committee has been adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the messages from the Senate be considered read at length, and the Journal so show. Seconded. Carried.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are returned to the House:

H. B. No. 162, by Anderson and Setzer.

H. B. No. 344, by Committee on Appropriations.

H. B. No. 345, by Committee on Appropriations.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, title and history agreed to, and bills are herewith returned to the House.

H. B. No. 47, by Committee on Appropriations.

H. B. No. 121, by Watson of Meagher.

H. B. No. 238, by Committee on Economy.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee of the House and Senate which conferred on Senate Amendments to House Bill No. 305.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Sub. H. B. No. 70, by Committee on Revenue and Taxation, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate Amendments.

Senate Committee on Taxation Amendments to Sub. H. B. No. 70:

Amend in Section 1 by striking in line 7, printed bill, the word and figure "three (3)," and inserting in lieu thereof the word and figure, "four (4)".

Amend in Section 1 by striking out in line 11 the words, "the third", and inserting in lieu thereof the words, "any subsequent."

Amend in Section 4 by striking in lines 1 and 2, printed bill, the words, "its passage and approval," and inserting in lieu thereof the words, "November 1, 1933."

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 161, by Committee on Revenue and Taxation was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee of the Whole Amendment to H. B. No. 161:

Amend in Section 1 by inserting in line 3 after the figure 2296, the following: "The term corporation includes associations, joint stock companies, common law trusts and business trusts which do business in an organized capacity whether created under and pursuant to state laws, agreements declarations of trust or otherwise."

Amend by striking out in line 6, printed bill, the word "two", and inserting in lieu thereof the word, "one."

Amend the amendment to Section 1 by striking out the word, "one", and inserting in lieu thereof the word, "two."

Amend Section 1 by striking out in line 15, printed bill, the word, "two," and inserting in lieu thereof the word, "one".

Amend Section 1 by striking out in line 15, printed bill, as amended, the word, "one", and inserting in lieu thereof the word, "two."

Amend in Section 16 by striking out in line 1 the word, "fifty," and inserting in lieu thereof the words, "seventy-five"; and by striking out in line 2 the words, "twenty-five per centum to the Common School Interest and Income Fund."

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate, and bills are herewith returned to the House.

H. B. No. 54, by Committee on Economy.

H. B. No. 155, by Beadle, O'Connell, Mulholland, Freudenstein, Goodwin, and McDermott.

H. B. No. 190, by Committee on Economy.

H. B. No. 287, by Abrahamson and Watson of Missoula.

H. B. No. 303, by Beadle, Kruse, Mulholland and Freudenstein.

H. B. No. 340, by Committee on Appropriations.

Respectfully,

J. F. CONE,
Secretary.

Helena, Montana, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate standing committees this day reported as follows:

Committee on Taxation: That Sub. H. B. No. 70 be amended in Section 1 by striking in line 7, printed bill, the word and figure "three (3)," and inserting in lieu thereof the word and figure "four (4)," and further amending Section 1 by striking in line 11 the words, "the third," and inserting in lieu thereof the words "any subsequent."

Amend Section 4 by striking in lines 1 and 2, printed bill, the words, "its passage and approval," and inserting in lieu thereof the words, "November 1, 1933"; and as so amended, recommend said bill be concurred in. Report adopted.

Committee on Taxation: That Sub. H. B. No. 113, by Committee on Revenue and Taxation, be amended by striking out the House amendment in Section 15, and striking out lines 15, 16, 17, and 18 after the word "to-wit," in line 15, original bill, and inserting in lieu thereof the following: "One-half ($\frac{1}{2}$) thereof to the general fund of the state, and one-half ($\frac{1}{2}$) thereof to the common school equalization fund."

And as so amended, recommend said bill be reported out without recommendation. Report adopted.

Committee on Taxation: That H. B. No. 167 be not concurred in. Report adopted.

Committee on Judiciary: That H. B. No. 287 be amended by striking out in line 11, page 1, original bill, after the word, "State," the following: "possessing the qualifications herein set forth," and by striking out in line 19, page 1, of the original bill after the word "Auctioneer" all the remainder of Section 1, and inserting in lieu thereof the following: "any auctioneer coming from another state to conduct one or a special sale in this state shall do so in the name and under the bond of a resident auctioneer without being required to furnish bond"; and by striking in line 29, page 1, original bill, after the words, "sum of," the following: "two thousand five hundred dollars (\$2,500.00)," and inserting in lieu thereof the following: "one thousand dollars (\$1,000.00)."

And as so amended, recommend said bill be concurred in. Report adopted.

Committee on Constitutional Amendments: That H. B. No. 155 be amended by striking out the period at the end of line 24, Section 4, after the word, "provided," and inserting in lieu thereof a comma, and adding the following: "Except in cases of emergency where life or property are in imminent danger."

And as so amended, recommend said bill be concurred in. Report adopted.

Committee on Constitutional Amendments: That H. B. No. 121 be concurred in. Report adopted.

Committee on Mines and Mining: That H. B. No. 134 be not concurred in. Report adopted.

Committee on Finance and Claims: That H. B. No. 47 be concurred in. Report adopted.

Respectfully,

J. F. CONE,
Secretary.

REPORTS OF SELECT COMMITTEES

Mr. President: We, your conference committee from the Senate and House on Amendments to House Bill No. 83, a Bill for an Act entitled: "An Act to appropriate money for the operation and maintenance of the six (6) units of the University of Montana, for the Agricultural Experiment Stations and the Sub-Stations, for Farmers' Extension Work, for the Bureau of Mines, for the Students' Railroad Fare Refund, for the period beginning July 1, 1933, and ending June 30, 1935," respectfully report and recommend as follows:

In Section 1, line 34, of the printed bill, strike out the words and figures "twenty thousand dollars (\$20,000.00)" and insert in lieu thereof the words and figures, "twelve thousand six hundred and sixty-six dollars (\$12,666.00)."

In Section 2, line 126, of the printed bill, strike out the words and figures "twenty thousand dollars (\$20,000.00)" and inserting in lieu thereof the words and figures "twelve thousand six hundred and sixty-six dollars (\$12,666.00)."

And the conference committee concurs in Senate Amendments to House Bill No. 83, by striking out in Section 1, line 72, all words and figures in said line 72; also in Section 2, line 163, all words and figures in said line 163.

And the conference committee concurs in Senate Amendments to Section 4.

And recommends that House Bill No. 83 be concurred in as amended.

GREEN,
ARNOLD,
SHANNON,

For the House.

PAULINE,
RUFFCORN,
SPARLING,

For the Senate.

Shannon: Move the report be adopted. Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Campbell, Chapman, Daugherty, Doe, Doran, Duffy, Ferry, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Mulholland, Nelstead, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ralston, Reardon (Deer Lodge), Roll, Rolph, Schuster, Shannon, Snidow, Stevens (Wheatland), Stiefel, Strange, Trenne, Ueland, Waite, Watson (Missoula), Whaley, Wigal, Mr. Speaker, Sparling. Total 68.

Noes: None.

Absent and not voting: Annin, Ballard, Byrne, Conner, Cusker, Ecton, Findlater, Fowler, Freed, Harrington, Knowles, Lewis, Logan, Love, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Nass, Parker (Flathead), Ragen, Rearden (Cascade), Replogle, Rognlien, Setzer, Somerville, Spangler, Stephens (McCone), Sullivan, Watson (Meagher), White, Woodcock. Total 33.

The Speaker: Sixty-eight have voted "aye," none have voted "no"; the report of the conference committee has been adopted.

MOTIONS AND RESOLUTIONS

Besancon: Move that the Enrolling Clerk be permitted to correct House Bill No. 319 by striking out in Section 1, line 6, page 4, of the engrossed bill the words "State Auditor" and inserting in lieu thereof the words "Commissioner of Insurance." Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your conference committee on Senate Amendments to Substitute House Bill No. 237, respectfully report as follows:

The House committee accedes to all Senate Amendments with the following exceptions:

First strike out Senate amendment to Section 1, line 13, of the printed bill and also strike out in Section 1 all of lines 12 and 13 of the printed bill, and insert in lieu thereof: "motor vehicles weighing twenty-seven

hundred and fifty pounds, or under, other than motor trucks, five dollars (\$5.00); motor vehicles weighing over twenty-seven hundred and fifty pounds, other than motor trucks, ten dollars (\$10.00).

Strike out Senate amendment immediately following line 15 of the printed bill, and strike out all of line 16 of the printed bill, and insert in lieu thereof the following: "trucks of one-ton capacity or under, five dollars (\$5.00); trucks from one ton to one and one-half ton capacity, ten dollars (\$10.00)"

Amend Section 1 (a) in line 38 after the word "used" by striking the word "by" and inserting in lieu thereof the word "in."

Amend Section 1 (b) in line 48 after the words "County Surveyor" by striking the comma and words "or County Commissioners" and in line 52 by striking the words "or County Commissioners."

Amend Section 1 in lines 50 and 52 of the printed bill by striking out the words "or County Commissioners."

O'CONNELL,
BYRNE,
UELAND,

For the House.

WALKER,
KEMMIS,
KELSEY,

For the Senate.

O'Connell: Move the report be adopted. Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Acher, Anderson, Arnold, Balgord, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Duffy, Ecton, Ferry, Fitzstephens, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Logan, Lott, Love, McCarvel, McDermott, Manning, Marshall, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pilgeram, Porter, Quamme, Ragen, Replogle, Rolph, Setzer, Snidow, Sparling, Stevens (Wheatland), Stiefel, Strange, Sullivan, Trenne, Ueland, Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 76.

Noes: Ralston. Total 1.

Absent and not voting: Annin, Ballard, Cusker, Findlater, Fowler, Freed, Groene (Fergus), Lewis, McElwain, Metlen, Nelstead, Parker (Flathead), Pierson, Rearden (Cascade), Reardon (Deer Lodge), Rognlien, Roll, Schuster, Shannon, Somerville, Spangler, Stephens (McCone), White, Woodcock. Total 24.

The Speaker: Seventy-six have voted "aye," 1 has voted "no"; the report of the conference committee is adopted.

The Speaker gave notice that he was about to sign House Bill No. 337, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 187, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 34, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 336, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 220, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 47, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 310, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 263, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 344, and thereupon signed the same in the presence of the House.

CONSIDERATION OF GENERAL ORDERS

Besancon: Move the House now resolve itself into Committee of the Whole for the consideration of General Orders, under the rules of the previous sittings. Seconded. Carried.

Watson of Missoula in the Chair.
Committee arose.

House resumed. Mr. Speaker in the Chair.

The Committee of the Whole reported as follows:

"Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Amendments to House Bill No. 339, respectfully report and recommend as follows:

That Senate Amendments to House Bill No. 339 be not concurred in, but that a conference committee be requested.

WATSON (of Missoula), Chairman."

On motion by Watson (Missoula), report adopted.

CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE

Besancon: Move the messages from the Senate be considered read at length and that the Journal so show. Seconded. Carried.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a conference committee with a like committee from the House for consideration of Senate Amendments to House Bill No. 166: Senators Church, Murphy and Wass.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a conference committee with a like committee from the House for consideration of Senate Amendments to House Bill No. 161: Senators Walker, Church and Cooper.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a confer-

ence committee with a like committee from the House for consideration of Senate Amendments to House Bill No. 305: Senators MacGilvra, Coburn and Reed.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a conference committee with a like committee from the House for consideration of Senate Amendments to House Bill No. 203: Senators Husband, Hennessy and Burr.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in House Amendments to Senate Bill No. 153.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a conference committee with a like committee from the House for the consideration of Senate amendments to House Bill No. 328: Senators Sparling, Kilduff and Galt.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, concurred in the House amendments to Senate Bill No. 198.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 167 was this day recommended for non-concurrence by the Senate Committee of the Whole, report adopted, and bill is herewith returned to the House.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 339, by Committee on Revenue and Taxation, was this day read three several times and concurred in as amended, title and history agreed to, and bill is herewith returned to the House for concurrence in Senate amendments:

Senate Committee of the Whole Amendments to H. B. No. 339:

Amend in Section 3 by striking out in Senate Committee Amendment Subdivision "d" after the word, "otherwise," all the remainder of the subdivision down to the last "or" in said subdivision.

Amend in Judiciary Committee amendment to Section 43 by striking out in line 3 of Subdivision (c) the words, "representative citizens," and inserting in lieu thereof the words, "County Commissioners."

Amend in Section 43 by striking out in the Judiciary Committee amendment all of Subdivision (d).

Amend by striking out Section 45-A.

Amend the amendment of the Judiciary Committee by striking out all of line 32 on page 12, and lines 1 to 6 inclusive on page 13 of Judiciary Committee report, and inserting in lieu thereof the following: "amend H. B. No. 339 by striking out all of Section 54-A of the engrossed bill.

Senate Committee on Judiciary Amendments to H. B. No. 339:

Amend Subdivision (a) of Section 2, line 2, of the printed bill to read as follows:

"Board" as used in this Act means the State Board of Equalization, which shall administer the Act under its provisions ex-officio and without additional compensation.

Amend Subdivision (f) of Section 2, lines 17 and 19 inclusive of the printed bill so that as amended said Subdivision shall read as follows: The word "Hotel" as used in this Act shall mean any place in a city or town having a population of five thousand inhabitants or less, which has at least twenty (20) rooms where the public may, for a consideration, obtain sleeping accommodations, with or without meals; and in cities or towns having a population of over five thousand inhabitants, it shall mean a place having at least fifty (50) rooms, conducted as a hotel where the public may, for a consideration, obtain sleeping accommodations, with or without meals; in cities or towns having a population of five thousand inhabitants or more, such "hotels" shall have a lobby on the main or ground floor, in addition to providing sleeping accommodations of fifty (50) or more rooms for its guests; it being intended hereby to prohibit the sale of beer in ordinary rooming houses or bawdy houses, even though the same shall be conducted under the name or designation of a "hotel."

Amend Subdivision (k) of Section 2, page 2 of the printed bill to read as follows:

"Restaurant" means any place provided with space and accommodations for not less than seventy-five (75) persons at one time where the public may, for a consideration, obtain meals; and before any license shall be issued by the Board for the sale of beer in any such restaurant, it must satisfactorily appear that the owner, proprietor or manager of any such restaurant is a citizen of the United States.

Amend Section 3 of the printed bill as amended by the House Committee of the Whole by making a new Subdivision (d) to read as follows:

(d) No person, corporation or association of individuals shall at any place where beer or other similar fermented beverages are so kept for sale, or sold, be permitted to advertise such place by signs, printed matter or otherwise using the word "saloon," or shall they be permitted to use the names or pictures of women, girls or children in advertising the sale of beer or malt beverages or in connection with the dispensing thereof.

Amend Section 7 on page 3 of the printed bill by striking the figure "5th" in the second line thereof and inserting in its place the figure "15th."

Amend by striking out all of Section 11 on page 3 of the printed bill and renumbering the succeeding sections accordingly.

Amend Section 12 of the printed bill appearing on page 3, as amended by the House Committee of the Whole by striking out the entire section and substituting therefor the following:

Section 11. It shall be unlawful for any brewer or breweries to have or own any permit to sell or retail beer at any place or premises; it being the declared intention to prohibit brewers from engaging in the retail dispensation of beer; provided, however, that this shall not be so construed as to prohibit breweries from making sale and delivery of beer by them manufactured in original packages at either wholesale or retail.

Amend Section 14 on page 4 of the printed bill by striking out the entire section and substituting in its place the following:

Section 13. (New Numbering) (1) Any brewer duly licensed as such by the United States of America, who manufactures beer in the State of Montana, may upon payment of a fee of seven hundred fifty dollars (\$750.00), be licensed by the Board in accordance with the provisions of this Act, and such regulations as may be prescribed by the Board to sell and deliver

(a) Beer and malt liquors to a vendor.

(b) Beer to any person who is a holder of a subsisting permit to purchase beer under this Act.

(c) Beer to licensees who are entitled to purchase beer from a brewer under this Act; or to do any one or more of such things.

(2) The Board may, in its discretion, grant or refuse such license and may from time to time, in the exercise of like discretion, with or without any hearing or the assigning of reason therefor, suspend or cancel any such license, and all rights of the brewer to sell or deliver beer or malt liquor thereunder. When the Board shall have refused to grant a brewer's license, as herein provided for, or shall revoke or suspend a license previously issued by it, the Board shall notify the applicant or the licensee, as the case may be, in writing by registered mail to the address of such applicant or licensee, of its action, giving the reasons therefor, and thereupon such applicant or licensee shall have a right to appeal to the district court of the county in which he shall reside, from the action of the Board, by filing a notice with the clerk of the district court and paying the filing fee required to commence a suit or action in the district court, which appeal must be so taken within thirty days after the order made and entered by the Board. The trial shall be had before the district court upon the record as presented to the Board and upon which its decision was rendered and there shall not be any additional evidence introduced or anything in the nature of a trial de novo.

(3) In addition to the annual license tax hereby imposed, a tax of fifty cents (50c) per barrel of thirty-one (31) gallons, is hereby levied and imposed on each and every barrel sold by such licensed brewer, which said tax shall be due at the end of each month and shall be payable with the return required to be made under the provisions of Section 7 hereof.

Amend Section 15, page 4 of the printed bill (which after renumbering will be Section 14) by striking out the first paragraph thereof and inserting in lieu thereof the following:

Any person desiring to sell and distribute beer as a wholesaler under the provisions of this Act shall apply to the Board for a permit to do so and tender with his application the license fee hereinafter provided for, together with a certificate of good moral character of the applicant by the County License Board, hereafter provided for by the provisions of Section 43 (c).

Amend Section 16 of the printed bill (new numbered, Section 15) by striking out the figure "5th" in the second line thereof and inserting in its place the figure (15th).

Amend Section 25 on page 6 of the printed bill by inserting after the word "hotel" in line 1 the words: "restaurant, club or other licensee;" and in line 2 of said section after the word "hotel" insert the words "restaurant, club, or other licensees;" otherwise the section to remain unchanged, save and except that it shall be renumbered as Section 24.

Amend by striking out Section 29 on page 7 of the printed bill in its entirety, as the same has been fully covered by the amendment made to Section 25 (renumbered Section 24).

Having thus stricken out Section 29, succeeding sections are to be renumbered accordingly.

Amend Section 30, page 7 of the printed bill (renumbered 28) to read as follows:

Section 28. Any person, subject to the preference rights herein provided, for the issuance of licenses to hotels under the terms of this Act, desiring to possess and have for sale beer, under the provisions of this Act, for the purpose of selling it at retail, shall first apply to the Board for a permit so to do and tender with such application the license fee herein provided for and in addition shall furnish a certificate of good moral character, qualifications and standing issued by the County License Board hereinafter provided for in Section 43 (c). Upon being satisfied from such application or otherwise that the applicant is qualified as herein provided, the Board shall issue a license to such person, which license shall at all times be prominently displayed in the place of business of the applicant. If the Board shall find that the applicant is not qualified, no license shall be granted and the license fee tendered shall be by the Board returned. The Board shall have the right and is hereby given authority to make, at any time, an examination of the books of account of any such retailer and of his premises and otherwise check his methods of conducting business and the alcoholic contents of the beer kept by him for sale.

Amend Section 34 of the printed bill, page 7, lines 1 and 2 (which will be renumbered Section 32) to read as follows:

Section 32. Any club desiring to possess or have for sale beer under the provisions of this Act shall make application to the Board for a permit so to do, accompanied by the license fee herein prescribed, together with a certificate of good moral character and fitness, issued by the County License Board hereinafter provided for by Section 43 (c). The remainder of the section commencing with the words "upon being satisfied" shall remain unchanged.

Amend Section 38, page 8 of the printed bill (to be renumbered Section 36) by striking out the entire section and substituting the following:

Any person maintaining or operating any railroad car or train as a common carrier for the transportation of passengers, desiring to sell beer under the provisions of this Act, shall first apply to the Board for a permit so to do, accompanying the application with the license fee herein prescribed. Upon being satisfied from said application or otherwise that the applicant is qualified under the provisions of this Act, the Board shall issue a license for the sale of beer by such person, which shall at all times be prominently displayed in the car, operated by the applicant, wherein beer or malt liquors are served. The Board shall have the right at any time to make an inspection of the train or cars operated by any railway company in this State, to ascertain whether this Act is being strictly complied with, and if not, the Board is authorized and empowered to cancel such license, after which the sale of any beer or malt liquors by any such common carrier shall be unlawful and subject to the penalties herein prescribed. And it shall be unlawful for any such common carrier to sell beer or malt liquors to any person under the age of twenty-one (21) years or who may appear to be in an intoxicated or disorderly condition.

Amend Section 39 on page 8 of the printed bill by striking out the entire section and renumbering the succeeding sections to correspond with the elimination of this and preceding sections of the Bill.

Amend Section 40, page 8 of the printed bill (which will now be Section 37) by striking out the entire section and substituting therefor the following:

Section 37. It shall be unlawful for the operator of any such railroad train, as a common carrier, or its employees, to make sale of or dispose of any beer or malt liquors except such as shall have been lawfully acquired or purchased from a brewer, wholesaler or retailer duly licensed.

Amend Section 41, page 8 of the printed bill (to be newly numbered Section 38) by striking out the entire section and substituting in lieu thereof the following:

Section 38. Nothing herein contained shall be so construed as to mean that a person holding a hotel or restaurant license may not apply for and obtain a retail dealer's license, or serve and sell beer at retail on the premises of such hotel or restaurant.

Add a new section between Sections 42 and 43, page 9 of the printed bill, (renumbered Sections 39 and 41, to be numbered 20, "new numbering") to read as follows:

Section 40. No licensee under the provisions of this Act shall employ or permit any person, either as a waiter or waitress, to serve beer to patrons, unless possessed of good moral character.

Amend Section 43, page 9 of the printed bill (new numbering 41) so as to read as follows:

Upon receipt of an application, the County License Board, hereinafter provided for, may, subject to such regulations as may be promulgated by the State Board of Equalization in that behalf, grant a special permit to any organized society, association or other duly constituted organization, whether incorporated or not, permitting the officers to purchase and serve beer at a banquet, or dinner; provided that it shall be unlawful to purchase or acquire beer for such purposes from anyone except a brewer, wholesaler, or retailer duly licensed under the provisions of this Act.

Amend Section 45, page 9 of the printed bill, as amended by the House Committee of the Whole (newly numbered Section 43) by striking out the whole thereof and substituting in lieu thereof the following:

Section 43. (a) No license to sell at retail at a fixed location under the provisions of this Act, shall be issued until the application for the same shall have been approved by a majority of the members of the Board of License Control, hereinafter provided for, in the county where such retail place of business is to be located.

(b) The number of licenses granted by the Board to retailers in cities, towns and villages shall not in any one year exceed:

One license for the first Five Hundred (500) population, or fraction thereof;

A second license for the next Five Hundred (500) population, or fraction thereof, up to One Thousand (1000) population;

A third license for a population of at least Two Thousand (2000).

A fourth license for a population of at least Three Thousand (3000); and

One license for each additional Four Thousand (4000) of population thereafter.

(c) The Board shall be authorized and it is hereby made its duty to appoint in each of the several counties of the State a County License Board, to be composed of three representative citizens, whose duty it shall be to investigate the moral character, qualifications and standing of each

applicant for a license to sell at retail or wholesale, at a place of business; and no license shall be issued by the State Board of Equalization until the application therefor has been approved by a majority of the County License Board.

(d) The tenure of office of those first appointed to serve on such County License Board shall be two (2), four (4), and six (6) years, and after the lapse of the first two years, succeeding members shall be appointed by the State Board of Equalization for a tenure of office of six (6) years; the intention hereby being not to permit all of the members of such Board to retire at one and the same time and the members of such Board shall hold their office under appointment by the State Board of Equalization, subject to removal by the Board for cause; and they shall serve without any compensation whatsoever.

(e) In the issuance of licenses to retailers under the provisions of this section, the following further limitations shall apply:

(1) A hotel in order to obtain a license as provided in this Act for the sale of beer and for the preference rights herein provided for, must have been engaged in business for a period of at least one (1) year before making application for any such license.

(2) In the issuance of wholesale licenses for the dispensing of beer in the several counties of the state, no more than two (2) licenses shall be issued to one person, firm, partnership, corporation or association of individuals for the sale of beer anywhere within the State of Montana.

(3) In all cases where the population of a city, town or village shall admit of the issuance of only one retail license therein, the Board must issue the same to a hotel applicant, if there be one, as in this Act defined, provided said hotel applicant is otherwise qualified as herein prescribed.

(4) In all cases where the population of a city, town or village shall admit of the issuance of two retail licenses therein, the Board must issue one thereof to a hotel applicant, if there be one, as in this Act defined, provided said hotel applicant is otherwise qualified as herein prescribed.

(5) In all cases where the population of a city, town or village shall admit of the issuance of three or more retail licenses therein, the Board shall give preference in the case of each alternate application to a hotel applicant if there be one, as in this Act defined, provided said hotel applicant is otherwise qualified as herein prescribed.

Nothing in this section contained shall be construed to limit the issuance of licenses to hotels as in this Act defined; it being intended hereby in the public interest and to facilitate regulation, to prefer the sale of beer through hotels.

Amend Section 47, page 9 of the printed bill (renumbered Section 45) by striking out all of line 3 which reads as follows: "Each brewer, Five Hundred Dollars (\$500.00)"; the brewer's license having been hereinbefore provided and fixed at the sum of Seven Hundred Fifty Dollars (\$750.00); further amend Section 47 on page 10 of the printed bill (which is renumbered Section 45) by adding thereto the following:

Provided that a transfer of any such license may be made on application to the Board of Equalization, accompanied by an approval of such transfer by the County License Board, herein provided for, and provided further that nothing in this Act contained shall in any manner be so construed as to prohibit or prevent cities and incorporated towns from enacting ordinances for the enforcement of this Act to license and regulate places of business where beer is sold, notwithstanding the fact that the persons conducting such places have obtained a license from the Board, the only restriction hereby imposed being that such regulatory license so imposed by any city or town shall be reasonable and not in excess of the amount imposed by the state.

Amend Section 49 of the printed bill (to be renumbered as Section 47) in line 7 by striking out the words "the county clerk of said county" and inserting in lieu thereof the words "clerk of the district court", and by striking out in line 9 of said section the words "date of such action and not otherwise," and inserting in lieu thereof the words "within thirty (30) days after the order made and entered by the Board. The trial shall be had before the district court upon the record as presented to the Board, and upon which its decision was rendered, and there shall not be any additional evidence introduced or anything in the nature of a trial de novo.

Amend Section 51 of the printed bill on page 10 (to be renumbered Section 49) by striking out all of the section and substituting therefor the following:

Section 49. All fees, charges, taxes and penalties provided by this Act collected by or under authority of the Board, together with all revenues received from other sources under this Act, shall be paid into the State Treasury and constitute a special fund to be designated "Montana Beer Act Fund," which to the extent of Fifteen per centum (15%) of the net amount of current revenues received and paid into the State Treasury, shall be available for the payment of the expenses of the Board in the administration of this Act, and the State Examiner shall quarterly audit the books of the Board in order to determine that the amount of money received as shown by the books of the Board correspond with the books of the State Treasurer. Whenever the amount of money in the "Montana Beer Act Fund" shall exceed Ten Thousand Dollars (\$10,000.00), all in excess of the sum of Five Thousand Dollars (\$5000.00) shall be by the State Treasurer distributed as follows: one-half thereof shall be transferred to the General Fund of the State; and the remaining one-half thereof shall be apportioned to the various counties in proportion to the amount of fees, charges, taxes and penalties collected under the provisions of this Act from the several counties, providing that in determining the money to be apportioned to the several counties of the State, beer which is sold by breweries wherever located, shall be considered as a sale made within the county to which it is transported for wholesale or retail sale irrespective of the place of manufacture.

Amend by adding after Section 51 (renumbered Section 49), page 10 of the printed bill, seven new sections to be numbered Sections 50, 51, 52, 53, 54, 55, and 56 to read as follows:

Section 50. Election to be ordered upon application of one-third of the Voters of any County. Upon application by petition, signed by one-third of the voters who are qualified to vote for members of the Legislative Assembly in any county in the State, the Board of County Commissioners must order an election to be held at the places of holding elections for county officers, to take place within forty days after the reception of such petition, to determine whether or not the sale of beer as herein provided for shall be permitted within the limits of the county. No election, under this section must take place in any month in which the general elections are held. It shall be the duty of the Board of County Commissioners to determine the sufficiency of the petitions presented from and examination of the roll of qualified electors within the County.

Section 51. Notice of Election; Regulations; Qualifications of Voters. The notice of election must be published once a week for four weeks in such newspapers of the county where the election is to be held as the Board of County Commissioners may think proper.

Section 52. Ballots, What to Contain. The County Clerk must furnish the ballots to be used at such election, as provided in the general election laws, which ballots must contain the following words: "Sale of beer, yes"; "Sale of beer, no". And the elector in order to vote must mark an "X" opposite one of the answers.

Section 53. Election, How Held. The polling places must be established, the judges and other officers to conduct the election must be designated, and the election must be held, canvassed and returned in all respects in conformity to the general election laws of the State of Montana.

Section 54. If a majority of the votes are against the sale of beer, the Board of County Commissioners must publish the result once a week for four weeks in the newspapers in which the notices of election were published, and from the date of the election no further licenses to vend beer in the county shall be issued by the Board of Equalization, and after the publication of notice proclaiming the result of the election as against the sale of beer, all licenses then existing shall be cancelled by the State Board of Equalization, and thereafter it shall be unlawful to sell any beer in any such county.

Section 55. No election more than once in Two Years. No election shall be held in the same county oftener than once in any two years.

Section 56. Election, How Contested. Any election held under the provisions of this Act may be contested in the same manner as other elections under the laws of this State.

Amend by striking out the House amendment made by the Committee of the Whole appearing attached to page 11 of the printed bill as Section 52, by striking the same out in its entirety, which House amendment relates to the licensing and sale of beer by cities and towns, as the same already has been covered by the amendment offered by this Committee to Section 49 of the printed bill (renumbered Section 47.)

Amend House Bill No. 339 in all of its sections by renumbering the sections consecutively after the elimination and insertion of new sections so that they will correctly run in numerical order in the event of any possible error having been made in the new numbering given by your Committee in the drafting of these proposed amendments.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee of the House and Senate which were selected for the consideration of Senate Amendments to H. B. No. 305.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee of the Whole this day, having had under consideration business on General File, respectfully report and recommend as follows:

That H. B. No. 339 be amended in Section 3 by striking out in Senate Committee amendment sub-division "d" after the word, "otherwise," all the remainder of the sub-division down to the last "or" in said sub-division.

Amend in Judiciary Committee Amendment to Section 43 by striking out in line 3 of sub-division (c) the words, "representative citizens," and inserting in lieu thereof the words, "County Commissioners."

Amend in Section 43 by striking out in the Judiciary Committee amendment all of sub-division (d).

Amend by striking out Section 45-A.

Amend amendment of Judiciary Committee by striking out all of line 32 on page 12, and lines 1 to 6 inclusive on page 13 of Judiciary Committee report and inserting in lieu thereof the following: Amend H. B. No. 339 by striking out all of Section 54-A of the engrossed bill.

And as so amended, recommend that said bill be concurred in.
That consideration of H. B. No. 167 be indefinitely postponed.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee, selected for consideration of Senate amendments to H. B. No. 4.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day, on motion, and at the request of the House, appointed the following Senators to act as a Conference Committee to act with a like Committee from the House for consideration of Senate Amendments to H. B. No. 339.

Senator Campbell, Donovan and Walker.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee of the House and Senate which were selected for the consideration of Senate amendments to H. B. No. 166.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call, adopted the report of the Joint Conference Committee of the House and Senate which were selected for the consideration of Senate amendments to H. B. No. 161.

Respectfully,

J. F. CONE,
Secretary.

Helena, March 2, 1933.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day refused to adopt the joint report of the Senate and House conference committee which considered Senate amendments to H. B. No. 4, and this day, on motion, discharged the committee and selected the following Senators to act as another conference committee to consider said amendments: Senators Sparling, Donovan and Thien.

Respectfully,

J. F. CONE,
Secretary.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 220, 336, 34, 187, 344, 47, 310, 263, 337.

LARSEN, Chairman."

Without objection, report adopted.

House recessed subject to call of the Chair.

House resumed. Mr. Speaker in the Chair.

The Speaker gave notice that he was about to sign House Bill No. 238, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 345, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 121, and thereupon signed the same in the presence of the House.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your conference committee on House Bill No. 328, a Bill for an Act entitled: "An Act providing for the levy and collection of an income tax; providing for exemptions and fixing basis and rate of tax; prescribing the duties and powers of the State Board of Equalization in its administration; providing procedure and machinery for administration thereof; fixing the jurisdiction of the courts in connection with review and appeal under this Act; providing penalties for violations hereof and making appropriations to carry out its purposes," respectfully report and recommend:

That the House concur in Senate Amendments.

SPARLING,
KILDUFF,

For the Senate.

METLEN,
SOMERVILLE,
UELAND,

For the House.

Metlen: Move the adoption of the report. Seconded.

The roll was called, and resulted in the following vote:

Ayes: Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Nass, Nestead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Rearden (Cascade), Replogle, Rognlien, Roll, Rolph, Schuster, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Strange, Trenne, Waite, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Abrahamson, Arnold, Cusker, Duffy, Fowler, Groene (Fergus), Mason, Moss, Mulholland, Ragen, Ralston, Reardon (Deer Lodge), Setzer, Spangler, Stevens (Wheatland), Sullivan, Ueland, Woodcock. Total 18.

The Speaker: Eighty-three have voted "aye," none have voted "no"; the report of the conference committee is adopted.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 220, 336, 34, 187, 344, 47, 310, 263, 337, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 11:30 P. M., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 345, 121 and 238.

LARSEN, Chairman."

Without objection, report adopted.

The Speaker appointed the following conference committee: On Senate Amendments to House Bill No. 339: Besancon of Missoula, Moss of Flathead, Nelstead of Carter.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your conference committee on House Bill No. 4, beg leave to report as follows:

That the House concurs in Senate amendments in Section 5 of the original bill and that the Senate recedes from its amendment in Section 10, and further that there be added in Section 8 after the word "wholesale" at the end of line 11 of the original bill, the following: "but shall not mean or include establishments operated by cooperative associations for purely mutual purposes.

RUFFCORN,
COBURN,
ROWLAND,

For the Senate.

PIERSON,
NELSTEAD,

For the House.

Pierson: Move the report of the conference committee be adopted. Seconded.

Groene: As a substitute motion, move that the report of the conference committee be not adopted. Seconded. Lost.

The motion of Pierson was thereupon put to vote, and the roll was called, resulting in the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjorneby, Blankenbaker, Byrne, Chapman, Conner, Daugherty, Doe, Doran, Findlater, Fitzstephens, Fowler, Freed, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Kruse, Kuhl, Larsen, Lewis, Logan, Lott, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Porter,

Quamme, Ragen, Rearden (Cascade), Rognlien, Rolph, Schuster, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Trenne, Ueland, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 75.

Noes: Breitenstein, Campbell, Ecton, Groene (Fergus), Jensen, Knowles, Miles, Pilgeram, Replogle, Roll, Spangler, Waite. Total 12.

Absent and not voting: Arnold, Cusker, Duffy, Ferry, Mason, Metlen, Ralston, Reardon (Deer Lodge), Setzer, Shannon, Strange, Sullivan, Watson (Meagher), Woodcock. Total 14.

The Speaker: Seventy-five have voted "aye," 12 have voted "no"; the report of the conference committee has been adopted.

"Mr. President of the Senate and Mr. Speaker of the House: We, the joint conference committee having under consideration Senate amendments to House Bill No. 339, respectfully report and recommend the following amendments to the Senate amendments to Subdivision (f) of Section 2 to it (such amendments being attached to the first page of the original bill):

Strike out the words and figures fifty (50) rooms in line eight (8) and insert the words and figures forty (40) rooms.

After the word 'more' in line 10, strike out 'such hotels shall have a lobby on the main or ground floor,' and insert after the word guests in line 13 'all hotels described in this section shall have a lobby on the main or ground floor.'

Also in line 13, strike out the words and figures fifty (50) and insert therein the words and figures forty (40).

All other Senate amendments to be concurred in.

DONOVAN,
WALKER,

Senate.

CAMPBELL,
BESANCON,
MOSS,
NELSTEAD,

House.

Besancon: Move the report be adopted. Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerthy, Haight, Hilger, Holecck, Jensen, Kruse, Kuhl, Larsen, Lott, McCarvel, McDermott, McElwain, Manning, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pilgeram, Porter, Ragen, Ralston, Replogle, Rognlien, Roll, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Spangler, Stevens (Wheatland), Waite, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 73.

Noes: Nass, Pierson, Sparling, Ueland. Total 4.

Absent and not voting: Ballard, Breitenstein, Byrne, Cusker, Duffy, Freudenstein, Harlen, Harrington, Knowles, Lewis, Logan, Love, Marshall, Metlen, Quamme, Rearden (Cascade), Reardon (Deer Lodge), Stephens (McCone), Stiefel, Strange, Sullivan, Trenne, White, Woodcock. Total 24.

The Speaker: Seventy-three have voted "aye," 4 have voted "no"; the report of the conference committee on Senate amendments to House Bill No. 339 has been adopted by the House.

"Mr. Speaker: We, your conference committee on House Bill No. 305, respectfully report as follows:

That the Senate amendments to House Bill No. 305 have been accepted, the House to recede from its objections.

RALSTON,
WATSON (of Meagher),
FOWLER,
Of the House.

LARSON,
KILDUFF,
COBURN,
Of the Senate.

Ralston: Move the report be adopted. Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Harlen, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Logan, McCarvel, McDermott, McElwain, Manning, Mason, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rognlien, Rolph, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 79.

Noes: Haight, Kruse, Lewis, Lott. Total 4.

Absent and not voting: Ballard, Cusker, Duffy, Freudenstein, Harrington, Love, Marshall, Metlen, Nutting, Rearden (Cascade), Reardon (Deer Lodge), Roll, Spangler, Stiefel, Strange, Sullivan, Waite, Woodcock. Total 18.

The Speaker: Seventy-nine have voted "aye," 4 have voted "no"; the report of the conference committee on 305 has been adopted by the House.

Fowler: Inasmuch as the report of the conference committee does not recommend that the Senate amendments be concurred in, I move that Senate Amendments to House Bill No. 305 be concurred in by the House. Seconded.

The roll was called, and resulted in the following vote:

Ayes: Abrahamson, Acher, Anderson, Annin, Arnold, Balgord, Beadle, Besancon, Bjorneby, Blankenbaker, Breitenstein, Byrne, Campbell, Chapman, Conner, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Knowles, Kuhl, Larsen, Lewis, Logan, Love, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nass, Nelstead, Nutting, O'Connell, O'Shea, Parker (Flathead), Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Ralston, Replogle, Rognlien, Roll, Schuster, Snidow, Somerville, Sparling, Stevens (Wheatland), Trenne, Ueland, Watson (Meagher), Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 81.

Noes: Kruse, Lott. Total 2.

Absent and not voting: Ballard, Cusker, Duffy, Freudenstein, McCarvel, McDermott, Rearden (Cascade), Reardon (Deer Lodge), Rolph, Setzer, Shannon, Spangler, Stephens (McCone), Stiefel, Strange, Sullivan, Waite, Woodcock. Total 18.

The Speaker: Eighty-one have voted "aye," 2 have voted "no"; Senate Amendments to House Bill No. 305 have been concurred in by the House.

"Mr. Speaker; Mr. President: We, your conference committee on House Bill No. 203, respectfully report and recommend as follows:

1. That the amendment to Section 1, as amended by the Committee on Roads and Highways, by striking out after the word "operation" in line 8 of the printed bill the words "upon any highways maintained by the National Park Service or for any operation," be rejected.

2. That the amendment to Section 1, as amended by the Committee on Roads and Highways, by striking out after the word "thereof" in line 9 of the printed bill, the words "but shall apply to all carriers operating through or from any city or town," be rejected.

3. That the amendment to Section 1, by striking out all of Section 1 down to and including the first word "and" in line 4 of the printed bill, be accepted.

4. That the amendment, by striking out all of Section 1A, as inserted by the Committee on Roads and Highways, which reads as follows: "Section 1-A. This Act shall not apply to private motor carriers of property who shall operate wholly within any city, town or village of this state or within a radius of six miles of the corporate limits of such city, town or village, or to the producer transporting his own livestock or farm products to market in his own motor vehicle, or the exchange of farmers motor vehicles engaged in harvesting or marketing other than for hire, or to persons, firms, concerns or corporations engaged in the construction, maintenance or repair of any public highways of this state," be accepted.

5. That the amendment, by striking all of Section 1-B, as inserted by the Committee on Roads and Highways, which reads as follows:

"Section 1-B. Nothing in this Act shall be construed as affecting the operation of school busses which are used in conveying school children to and from district or other schools, or to the transportation of freight or passengers by motor vehicles when done occasionally and not as a regular business, or to the transportation by means of motor vehicles in the regular course of business of employees, supplies, and materials by any person, firm or corporation engaged exclusively in the construction or maintenance of highways, or engaged exclusively in logging or mining operations, insofar as the use of employees, supplies and materials in construction and production is concerned," be accepted.

6. That the amendment to Section 1, by adding to the end of said section, the following:

"Nothing in this Act shall be construed as affecting the operation of busses which are used in conveying school children to and from district or other schools; nor shall this Act apply to the producer transporting his own livestock or farm products to market in his own motor vehicle nor to any person transporting supplies for his own use in his own motor vehicle, or the exchange of farmers motor vehicles engaged in harvesting or marketing, or to persons, firms, concerns or corporations engaged in the construction, maintenance or repair of any public highways of this state," be accepted.

7. That the amendment to Section 1, by striking out the period at the end of said section and substituting a comma, and adding the following words: "or to any person or firm transporting his own merchandise in his own motor vehicle," be accepted.

8. That the amendment to Section 2, by striking out in lines 2 and 3, printed bill, the words "and every private motor carrier of property" and by inserting between the words "carrier and Class C" in line 2, printed bill, the word "and," be accepted.

9. That the amendment by striking from Section 2, line 4, printed bill, the word "mileage" and inserting in lieu thereof the word "compensatory," be accepted.

10. That the amendment by striking from Section 2, line 6, printed bill, the word "mileage" and inserting in lieu thereof the word "compensatory," be accepted.

11. That the amendment by striking from Section 2 all the words and figures in lines 8 to 32, inclusive, and inserting in lieu thereof the following:

"For every motor vehicle which shall be operated by such carrier on the public highways of this state that are not exempt under the provisions of this Act, a sum that shall bear the following relations to the state registration or license plate fee provided for the State of Montana:

For each truck, trailer, or semi-trailer, or bus of a manufacturer's rated capacity of:

| | |
|--|------|
| Not over 1½ tons | 75% |
| Over 1½ tons and not over 2 tons | 100% |
| Over 2 tons and not over 3 tons | 100% |
| Over 3 tons and not over 5 tons | 150% |
| Over 5 tons | 200% |

Said license fees shall become due and payable to the Board of Railroad Commissioners of the State of Montana on or before the fifteenth day of March, 1933, and thereafter on the first day of January of each succeeding year, or when any such motor vehicle shall begin operating upon the highways of this state.

Upon payment of such license fees the Board shall furnish for each vehicle suitable markers or plates bearing a distinctive number assigned to such vehicle which shall be displayed upon said vehicle at all times," be accepted.

12. That the amendment to Section 2, by striking out in line 4, printed bill, the word "tax" and inserting in lieu thereof the words "license fees," be rejected.

13. That the amendment to Section 2, by striking out in line 6 the word "tax" and inserting in lieu thereof the words "license fees," be rejected.

14. That the amendment to Section 3 by striking out in line 1 the word "mileage" and by striking out all of line 3, printed bill, and placing a period at the end of line 2, be rejected, and that there be inserted in lieu thereof the following:

"Amend by striking out all of Section 3 and insert in lieu thereof the following:

"Section 3. The tax hereinbefore provided in Section 2 shall apply to such motor carriers engaged in interstate or foreign commerce to the extent of their operations within the State of Montana. Provided, however, that in lieu of such compensatory tax, there may be paid for the operation of such interstate motor carriers in the State of Montana a mileage tax as compensation for the use of the public highways of the State of Montana, which mileage tax shall be assessed against and collected from every Class A motor carrier, Class B motor carrier and Class C motor carrier engaged in interstate commerce to the extent of their operations within the State of Montana, which mileage tax shall be computed, as follows:

(a) The gross weight of each freight carrying motor vehicle shall be unloaded weight thereof plus twice the manufacturer's rated capacity.

(b) The gross weight of each passenger carrying motor vehicle shall be the unloaded weight thereof.

(c) The tax per mill of operation on the state highways of each motor vehicle shall be based upon its gross weight as herein defined and shall be as follows:

FOR MOTOR VEHICLES

| | |
|--|---------------------------|
| Weighing 6,000 pounds or under | 1-8c per mile |
| Weighing over 6,000 pounds and not over 10,000 pounds | $\frac{1}{4}$ c per mile |
| Weighing over 10,000 pounds and not over 14,000 pounds | $\frac{1}{2}$ c per mile |
| Weighing over 14,000 pounds and not over 18,000 pounds | 3-4c per mile |
| Weighing over 18,000 pounds and not over 22,000 pounds | 1c per mile |
| Weighing over 22,000 pounds and not over 26,000 pounds | $1\frac{1}{2}$ c per mile |
| Weighing over 26,000 pounds and not over 30,000 pounds | 3c per mile |
| Weighing over 30,000 pounds and not over 34,000 pounds | 4c per mile |
| Weighing over 34,000 pounds and not over 38,000 pounds | 5c per mile |
| Weighing over 38,000 pounds and not over 40,000 pounds | 6c per mile |

For motor vehicles, trailers or semi-trailers with a gross weight exceeding 40,000 pounds, the last mentioned fee shall be increased one cent per mile for each additional ton. All such motor vehicles with trailers or semi-trailers shall be considered as one unit in arriving at the gross weight and in computing the tax herein provided for.

The Board shall have power and authority to require such carriers to file all necessary reports and the Board shall have authority and power to make all rules and regulations necessary for the collection of such mileage tax and for the enforcement of this Act. The owner or operator of such motor carriers engaged in interstate commerce shall elect, at the beginning of each year, or at the beginning of operation in the State of Montana, which of said compensatory taxes he shall pay and shall advise the Board of his election."

15. That the amendment to Section 3, line 1, printed bill, by striking out the word "tax" and inserting in lieu thereof the words "compensatory license fees" be rejected.

16. That the amendment to Section 4 by striking out all of Section 4 and inserting in lieu thereof, the following: Be accepted.

17. That the amendment to Section 4, as amended by striking out in line 6 of the amendment, after the word "compensatory" the word "tax" and inserting in lieu thereof the words "license fees" be rejected.

18. That the amendment to Section 4, by striking out in line 7 of the amendment, after the word "the" the word "tax", and inserting in lieu thereof the words "license fees" be rejected.

19. That the amendment to Section 4, by adding after the word "carrier" in line 1, the words "accept as heretofore exempted" be accepted.

20. That the amendment by striking from the printed bill, all of Sections 5, 6, 7 and 8 be accepted, and that the amendment to strike from the printed bill Section 9 be rejected, and the succeeding sections be numbered accordingly.

21. That the amendment to Section 11, by striking in line 4 printed bill the figure 8 and inserting in lieu thereof the figure 5, be rejected.

22. That the amendment to strike out all of Section 13 be rejected.

23. That the amendment by striking out all amendments made by the Senate Committee on Roads and Highways except the Committee amendment to Section 2, by striking from page 2 lines 25, 26 and 27, the following:

"Nothing in this Act shall be construed to apply to highways in territories not served by railroads" be accepted.

24. That the amendment by adding in Section 14, after the word "carriers" in line 3 printed bill, the following: "any person, persons, or corporations violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in the sum not to exceed \$500.00 or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment" be accepted.

25. That the amendment in Section 2, as amended by striking out after the word "said" the word "taxes" and inserting in lieu thereof the words "license fees," be rejected.

26. That the amendment in Section 2, as amended by striking out after the word "such" the word "tax" and inserting in lieu thereof the words "license fees" be rejected.

27. That the amendment in Section 7, by striking out in line 4 the word "taxes" and inserting in lieu thereof the words "license fees" be rejected.

28. That the amendment in Section 2, as amended by inserting after the word "truck" in line 14 printed bill the words "trailer, or semi-trailer" be accepted.

For the Senate:

HUSBAND,
BURR,
HENNESSY.

For the House:

SPANGLER,
WAITE,
GROENE."

Nelstead: Move that the conference report be not adopted, and that further action on House Bill No. 203 be indefinitely postponed. Seconded.

Fowler: Move as a substitute motion that the Conference Committee report be not accepted, that the committee be discharged and that the House concur in the original Senate amendments to H. B. No. 203. Seconded.

The motion of Fowler was then put to vote and lost.

The motion of Nelstead, that the report of the Conference Committee be not adopted and that further action on House Bill No. 203 be indefinitely postponed, was put to vote and carried.

"Mr. Speaker: We, your Conference Committee on House Bill No. 166, beg leave to report as follows:

That the House concurs in Senate Amendment in line 1 of Section 1 to strike out the word and figure "seven (7)," and insert in lieu thereof the word and figure "eight (8)".

That the Senate recede from all other Senate Amendments contained in the bill.

For the Senate:

CHURCH,
MURPHY,
WASS.

For the House:

BEADLE,
MULHOLLAND,
LOVE."

Beadle: Move the report of the conference committee be adopted Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Anderson, Annin, Beadle, Besancon, Bjerneby, Blankenbaker, Breitenstein, Chapman, Daugherty, Doe, Doran, Ferry, Freudenstein, Green (Dawson), Hagerty, Haight, Harrington, Holecek, Jensen, Knowles, Kruse, Kuhl, Lewis, Lott, McCarvel, McDermott, McElwain, Manning, Marshall, Miles, Miller (Big Horn), Miller (Lin-

coln), Nass, O'Shea, Parker (Flathead), Pilgeram, Rearden (Deer Lodge), Replogle, Rolph, Schuster, Setzer, Snidow, Somerville, Stephens (McCone), Stevens (Wheatland), Sullivan, Watson (Missoula), Whaley, White, Mr. Speaker. Total 51.

Noes: Ecton, Hilger, Logan, Porter, Stiefel. Total 5.

Absent and not voting: Acher, Arnold, Balgord, Ballard, Byrne, Campbell, Conner, Cusker, Duffy, Findlater, Fitzstephens, Fowler, Freed, Givens, Goodwin, Grabow, Groene, Harlen, Larsen, Love, Mason, Metlen, Moss, Mulholland, Nelstead, Nutting, O'Connell, Parker (Broadwater), Pierson, Quamme, Ragen, Ralston, Rearden (Cascade), Rognlien, Roll, Shannon, Spangler, Sparling, Strange, Trenne, Ueland, Waite, Watson (Meagher), Wigal, Woodcock. Total 45.

The Speaker: Fifty-one have voted "aye", 5 have voted "no"; the report of the Conference Committee on Senate Amendments to House Bill No. 166 has been adopted by the House.

MOTIONS AND RESOLUTIONS

Besancon: Move the Speaker appoint a committee of five to officially represent the House of Representatives at the funeral of the late Senator T. J. Walsh, and to arrange for suitable floral offerings. Seconded. Carried.

Besancon: The Senate has requested that the House appoint a new Conference Committee on Senate Amendments to House Bill No. 4 and I move the request of the Senate be granted. Seconded. Carried.

The Speaker thereupon appointed the following committee:

Haight of Fergus.

Marshall of Missoula.

Sparling of Sheridan.

REPORTS OF SELECT COMMITTEE

"Mr. Speaker: We, your Conference Committee appointed to consider Senate amendments to House Bill No. 161, respectfully report as follows:

We recommend that the words "or otherwise" at the end of the amendment in Section one be stricken, and that in Section 16, as amended, there be inserted after the words "Common School Equalization Fund", the words "there is hereby appropriated out of the General Fund for the administration of this Act two and one-half per centum (2½%) of the amount collected hereunder. Any part of such appropriation not expended at the end of each fiscal year shall be credited by the State Treasurer to the respective funds according to the percentage specified in this section."

As amended we respectfully recommend concurrence.

For the Senate:

WALKER,
CHURCH,
COOPER.

For the House:

METLEN,
SOMERVILLE,
FINDLATER."

Metlen: Move the report be adopted. Seconded.

The roll was called, resulting in the following vote:

Ayes: Abrahamson, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Byrne, Chapman, Cusker, Daugherty, Doe, Doran, Ecton, Ferry, Findlater, Fitzstephens, Fowler, Freudenstein, Goodwin, Grabow, Green (Dawson), Groene (Fergus), Hagerty, Haight, Harlen, Harrington, Hilger, Holecek, Jensen, Kruse, Kuhl, Larsen, Lewis, Logan, Love, McCarvel, McElwain, Manning, Marshall, Mason, Metlen, Miles, Miller (Big Horn), Miller (Lincoln), Mulholland, Nutting, O'Connell, O'Shea, Parker (Broadwater), Pierson, Pilgeram, Porter, Quamme, Ragen, Rearden (Cascade), Replogle, Rognlien, Schuster, Setzer, Shannon, Snidow, Somerville, Sparling, Stephens (McCone), Stevens (Wheatland), Stiefel, Ueland, Watson (Meagher), Watson (Missoula), Whaley, Wigal, Mr. Speaker. Total 75.

Noes: Knowles, Lott. Total 2.

Absent and not voting: Acher, Arnold, Breitenstein, Campbell, Conner, Duffy, Freed, Givens, McDermott, Moss, Nass, Nelstead, Parker (Flathead), Ralston, Reardon (Deer Lodge), Roll, Rolph, Spangler, Strange, Sullivan, Trenne, Waite, White, Woodcock. Total 24.

The Speaker: Seventy-five have voted "aye", 2 have voted "no"; the report of the Conference Committee on Senate Amendments to House Bill No. 161 has been adopted.

MOTIONS AND RESOLUTIONS

Pilgeram: Move that in recognition of Senator Walsh's great friendliness toward ex-service men, the Speaker appoint three ex-service men from this Assembly to attend the funeral of the late Senator Thomas J. Walsh. Seconded. Carried.

The speaker thereupon appointed Pilgeram, of Cascade, Replogle of Fergus, and Setzer of Phillips as such committee.

The Speaker appointed the committee of five, under the motion of Besancon of Missoula, to attend the funeral of Senator Walsh, as official representatives of the House of Representatives, as follows:

McCarvel of Deer Lodge.
Doran of Silver Bow.
McElwain of Deer Lodge.
Wigal of Missoula.
Shannon of Sanders.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration the investigation of the State Industrial Accident Board, respectfully report as follows:

The reserve fund, which is a fund for the payment of workmen's compensation, has grown from 1919 to 1932 as follows:

| | | |
|------|-------|--------------|
| 1919 | ..... | \$229,666.96 |
| 1921 | ..... | 382,816.61 |
| 1922 | ..... | 425,761.69 |
| 1923 | ..... | 434,123.63 |
| 1924 | ..... | 436,202.14 |
| 1925 | ..... | 528,186.33 |
| 1926 | ..... | 572,792.63 |
| 1927 | ..... | 596,265.63 |
| 1928 | ..... | 629,903.27 |
| 1930 | ..... | 724,179.65 |
| 1932 | ..... | 641,321.39 |

J. Burke Clements became Chairman of the Industrial Accident Board on May 1st, 1927. It will be noted that the fund since he became chairman of the Board did grow from \$572,000.00 in 1926 to \$724,000.00 in 1930. The years 1929 and 1930 were the peak years in industry in Montana and naturally the premium income was also at its peak. This accounts for the reserve fund becoming so large. The House will note that the reserve fund grew from a figure of \$229,000.00 in 1919 to a figure of three quarters of a million dollars in 1930.

Naturally during 1929 and 1930, because of the fact that these years were the peak years in industry, there were more accidents than at any other time. The Board is now paying for the disabilities which have resulted from those accidents. In other words, the Industrial Accident Fund is carrying the peak of compensation during the years 1932 and 1933. By reason of considerable cessation of activities in industries the income went down in 1932. By reason of this it was necessary for the Board to use approximately \$81,000.00 of the reserve fund for the purpose of paying compensation. In other words \$81,000.00 more in compensation was paid than was received in premium income. This does not mean that there is any deficit or shortage in the reserve fund. There was built up a reserve of \$724,000.00, the reserve being built up for the sole purpose of paying compensation, and rather than increase premium rates at a time when industries in Montana are struggling to exist, the reserve has been paid at the extent of \$81,000.00 during the last year for the payment of compensation. This is what the reserve was built for. It is not necessary that this reserve be brought to the figure it reached in 1930, it is only necessary that the reserve remain at a sufficient figure which will protect the workmen in hazardous industries.

We have made a careful survey of the liabilities in workmen's compensation. We estimate that the maximum amount of liabilities now held is \$475,000.00. If all of these claims were to be paid today, in other words, if the Board were to close their books, they could be wiped off at a cost to the fund of \$450,000.00, because of the discount allowed by law. This, of course, is an impossibility, as the Law does not permit a closing of the business, the state is obligated to carry on these contracts. The Board, therefore, is in a position of having liabilities of \$475,000.00, with the reserve fund of \$641,000.00 at the end of the last fiscal year, less whatever depreciation or "falling off of value in the securities."

The list of securities as published in the Board's last report was taken and an itemized estimate was made of the present market value of all of those securities. There was made the most conservative estimate, which was an estimate based on the idea of what could be brought in cash for the securities at a forced sale or quick sale. All those securities which were purchased during the time J. Burke Clements has been Chairman of the Board, which were estimated at depressed or "falling off" value by reason of depressed conditions, is less than 11 per cent. It was found that the securities which make the total of \$641,000.00 are worth their face value. That is, the Industrial Reserve Fund will receive every cent of their value, plus the interest, with the exception of some improvement district bonds, which were purchased before J. Burke Clements became Chairman of the Board, whose face value is approximately \$30,000.00, and which it is believed have no value at all.

In the past six years, during the time Clements has been Chairman of the Industrial Accident Board, this Board has paid out more than two million dollars in state money for workmen's compensation. Particular attention is called to this for the reason that the volume of business done by the State is constantly increasing, notwithstanding the depressed conditions. The Board paid out in 1932 nearly one-half million dollars in workmen's compensation under the state fund alone. This is three times the business done in 1921 and it was done for \$1000.00 less expense. The cost of operating the department has been held at a minimum and is being held at a minimum.

O'CONNELL, Chairman."

"Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration the Investigation of the State Industrial Accident Board in regard to its:

Investments;
Reserve Fund—and
Minutes of the meetings.

Respectfully report and recommend as follows:

That the attached copy in regard to the dates and attendance of the members of the Board at the meetings, as taken from their minutes, be submitted to the House.

That the attached report in regards to investments be submitted to the House.

We recommend that the Board regulate its investments along the lines practiced by savings banks.

We recommend that the Board function in its entire memberships and that all members perform their duties as required by law.

We recommend that the Board do everything in its power within the next biennium to place the Commission on a self-sustaining basis.

We recommend that the members of the Board curtail their private business activities where they are detrimental to the proper execution of their duties.

O'CONNELL, Chairman."

On motion by O'Connell, reports adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled.

House Bills Nos. 140 and 233.

LARSEN, Chairman."

Without objection report adopted.

The Speaker gave notice that he was about to sign House Bill No. 140, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 233, and thereupon signed the same in the presence of the House.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 140 and 233, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:45 o'clock p. m., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

REPORTS OF SELECT COMMITTEES

"Mr. Speaker: We, your Conference Committee on House Bill No. 4 beg leave to report as follows:

That the House concurs in Senate amendments in Section 5 of the original bill, and that the Senate recedes from its amendment in Section 10, and by striking out all amendments to Section 8 of the original bills.

For the Senate:

SPARLING,
THIEN.

For the House:

HAIGHT,
MARSHALL,
SPARLING."

Haight: Move the report of the Conference Committee be adopted.
Seconded.

A roll call was taken, resulting in the following vote:

Ayes: Abrahamson, Anderson, Annin, Balgord, Ballard, Beadle, Besancon, Bjerneby, Blankenbaker, Byrne, Chapman, Doe, Doran, Ecton, Fowler, Freudenstein, Givens, Goodwin, Grabow, Green (Dawson), Haight, Harrington, Hilger, Holecek, Kuhl, Larsen, Logan, Love, McCarvel, McDermott, McElwain, Manning, Marshall, Mason, Metlen, Miller (Big Horn), Miller (Lincoln), Moss, Mulholland, Nelstead, O'Connell, O'Shea, **Parker (Flathead)**, Parker (Broadwater), Porter, Quamme, Ragen, Rognlien, Schuster, Setzer, Snidow, Somerville, Sparling, Stephens (McCone), Stiefel, Ueland, Watson (Missoula), Whaley, White, Wigal, Mr. Speaker. Total 61.

Noes: Breitenstein, Campbell, Groene (Fergus), Jensen, Lewis, Pilgeram, Reardon (Deer Lodge), Replogle, Roll, Rolph, Waite, Watson (Meagher). Total 12.

Absent and not voting: Acher, Arnold, Conner, Cusker, Daugherty, Duffy, Ferry, Findlater, Fitzstephens, Freed, Hagerty, Harlen, Knowles, Kruse, Lott, Miles, Nass, Nutting, Pierson, Ralston, Rearden (Cascade), Shannon, Spangler, Stevens (Wheatland), Strange, Sullivan, Trenne, Woodcock. Total 28.

The Speaker: Sixty-one have voted "aye", 12 have voted "no"; the report of the Conference Committee on Senate Amendments to House Bill No. 4 has been adopted.

The Speaker appointed the following Committee under the provisions of House Joint Resolution No. 8.

Besancon of Missoula.

Rognlien of Flathead.

Setzer of Phillips.

REPORTS OF STANDING COMMITTEES

The Committee on Employment submitted the following report of employees assigned for post session work:

"Mr. Speaker: We, your Committee on Employment have assigned the following positions:

Chief Clerk's Office for the period of 15 days.

Chief Clerk—J. J. Jewell.

Secretary to Chief Clerk—Ruth Alquist.

Stenographer—Frances Baker.

Bill Clerk—Eugene Murphy.

Journal for the period of 15 days.

Clerk—Jessie Roscow.

Assistant—Clara Trousdale.

Typist—Donald Thomson.

Sergeant-at-Arms office for the period of 7 days.

W. W. Crawford.

Horace Casey.

Jean Mensing.

Alfred Heikkali.

Janitors for 3 days.

George Jeei.

Sam Koich.

Enrolling for 2 days.

Marie Hayes.

A. T. PORTER, Chairman."

On motion by Porter, report adopted.

Besancon: Move the Sergeant-at-Arms be instructed to see that all furniture, equipment and supplies are in their proper places under the care of the custodian of the Captiol, and that a receipt be taken for the same. Seconded. Carried.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 345, 121 and 238, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:45 o'clock p. m., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

"Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 328, 283, 161, 278, 4, 208, 305, 162, 166, 83, 319, 331, Substitute House Bills Nos. 237 and 70, House Bill No. 339.

LARSEN, Chairman."

Without objection, report adopted.

The Speaker gave notice that he was about to sign House Bill No. 319, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 331, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 83, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 162, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 305, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 4, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Sub. House Bill No. 237, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 208, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 161, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Sub. House Bill No. 70, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 278, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 328, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 283, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 166, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign House Bill No. 339, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 153, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 30 and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 116, and thereupon signed the same in the presence of the House.

The Speaker gave notice that he was about to sign Senate Bill No. 198, and thereupon signed the same in presence of the House.

MOTIONS AND RESOLUTIONS

Besancon: Move that a Committee of three members of the House be appointed by the Speaker to notify his Excellency the Governor, that the House of Representatives of the Twenty-third Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die. Motion Seconded and Carried.

The Speaker thereupon appointed Metlen of Beaverhead, Grabow of Park and Nelstead of Carter as a committee to notify his Excellency the Governor.

Besancon: Move that a committee be appointed by the Speaker, consisting of three members, to notify the Honorable Senate that the House of Representatives of the Twenty-third Legislative Assembly of the State of Montana, having completed its work, is about to adjourn sine die. Motion Seconded and Carried.

The Speaker thereupon appointed Haight of Fergus, Besancon of Missoula and Moss of Flathead as a committee to notify the Honorable Senate.

Metlen of Beaverhead, Chairman of the Committee to notify his Excellency the Governor, reported the duty performed and that the Governor desired to convey to the House of Representatives his deep appreciation of the work accomplished, and stated that he has no further communications to make to this body. Committee discharged by the Speaker.

Haight of Fergus, Chairman of the Committee to notify the Honorable Senate, reported the duty performed. Committee discharged by the Speaker.

A committee from the Honorable Senate appeared, and the Chairman informed the House of Representatives that the Senate had finished its business and was ready to adjourn sine die.

REPORTS OF STANDING COMMITTEES

"Mr. Speaker: We, your Committee on Enrollment, to whom were referred House Bills Nos. 328, 283, 161, 278, 4, 208, 305, 162, 166, 83, 319, 331, Substitute House Bills Nos. 237 and 70, House Bill No. 339, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:45 o'clock p. m., delivered to the Governor for his approval.

LARSEN, Chairman."

Without objection, report adopted.

The Committee on Journal reported as follows:

"Mr. Speaker: We, your Committee on Journal, having examined the Journal for the 60th Legislative Day, find the same to be correct.

ROGNLIEN, Vice-Chairman."

Without objection, report adopted.

Besancon: Move that the House of Representatives of the Twenty-third Legislative Assembly of the State of Montana, do now stand adjourned sine die at 11:55 o'clock p. m., of the Sixtieth day. Motion seconded and carried.

D. A. DELLWO,
Speaker.

ATTEST:

JOHN J. JEWELL, Chief Clerk.

